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OF THE

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OF THE

State of Washington

BEGUN AND HELD AT

OLYMPIA, THE STATE CAPITAL

January 9, 1905

Adjourned Sine Die, March 9, 1905

CHARLES E. COON, President

J. W. LYSONS, Secretary

C. W. GORHAM, PUBLIC PRINTER
OLYMPIA
1905

COMPILED, ARRANGED AND INDEXED BY

J. W. LYSONS,

SECRETARY OF THE SENATE.

STATE GOVERNMENT.

1905.

CAPITOL . . . . . OLYMPIA

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SECRETARY OF STATE — AUDITOR

TREASURER — ATTORNEY GENERAL

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CHESTER F. MILLER..	*Columbia Garfield Asotin*.....	Dayton

JOURNAL OF THE SENATE.

FIRST DAY.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 9, 1905.
12 o'clock, noon.

The ninth Senate of the State of Washington assembled at the Senate chamber, in the state capitol, pursuant to law, at 12 o'clock noon, this day, Senator J. J. Smith, president of the last State Senate, presiding.

Prayer was offered by Rev. A. J. Sawin, pastor of the Central Baptist church of Olympia.

The following certificate from the Secretary of State, Sam H. Nichols, was read:

UNITED STATES OF AMERICA, STATE OF WASHINGTON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam H. Nichols, Secretary of State of the State of Washington, do hereby certify that the following is a full, true and correct list of the persons elected at the general election held on the 8th day of November, A. D. 1904, from the several senatorial districts, as shown by the official returns on said election on file in this office, and are entitled to seats in the Senate of the Legislature of the State of Washington, at its ninth biennial session, commencing on Monday, January 9th, 1905; also the list of the "hold-over" senators from the eighth session of said Legislature:

HOLD-OVER SENATORS.

	Name.	*Counties Represented.*
District No. 2	M. E. STANSELL	Stevens
District No. 6	WILL G. GRAVES	Spokane
District No. 7	HUBER RASHER	Spokane
District No. 8	G. B. WILSON	Whitman

District No. 16	GEO. H. BAKER	Klickitat, Skamania
District No. 19	JOHN T. WELSH	Pacific, Wahkiakum
District No. 21	J. R. O'DONNELL	Chehalis
District No. 24	CYRUS F. CLAPP	Clallam, Jefferson, San Juan
District No. 29	SAMUEL M. LE CRONE	Pierce
District No. 30	DR. J. J. SMITH	King
District No. 31	A. T. VAN DE VANTER	King
District No. 32	ORVILLE A. TUCKER	King
District No. 33	A. HEMRICH	King
District No. 34	WM. HICKMAN MOORE	King
District No. 35	W. G. POTTS	King
District No. 36	RITCHIE M. KINNEAR	King
District No. 37	EDWARD B. PALMER	King
District No. 39	S. T. SMITH	Snohomish
District No. 40	EMERSON HAMMER	Skagit
District No. 42	JOHN EARLES	Whatcom

LIST OF SENATORS ELECTED IN 1904.

	Name.	*Counties Represented.*
District No. 1	DR. J. I. POGUE	Douglas, Ferry, Okanogan
District No. 3	DR. C. G. BROWN	Spokane
District No. 4	WALKER A. HENRY	Spokane
District No. 5	E. C. BRATT	Spokane
District No. 9	H. M. BOONE	Whitman
District No. 10	S. S. RUSSELL	Asotin, Columbia, Garfield
District No. 11	C. T. HUTSON	Adams, Franklin, Walla Walla
District No. 12	FRED M. PAULY	Walla Walla
District No. 13	J. P. SHARP	Chelan, Kittitas
District No. 14	GEO. A. KENNEDY	Lincoln

District No. 15	WALTER J. REED	Yakima
District No. 17	E. M. RANDS	Clarke
District No. 18	A. L. WATSON	Cowlitz
District No. 20	J. A. VENESS	Lewis
District No. 22	A. S. RUTH	Thurston
District No. 23	R. W. CONDON	Island, Kitsap, Mason
District No. 25	CAREY L. STEWART	Pierce
District No. 26	W. E. BRONSON	Pierce
District No. 27	WALTER CHRISTIAN	Pierce
District No. 28	LINCOLN DAVIS	Pierce
District No. 38	T. B. SUMNER	Snohomish
District No. 41	T. A. HUNTER	Whatcom

In Testimony Whereof, I have hereunto set my hand and affixed hereto the Seal of the State of Washington. Done at Olympia, this 9th day of January, A. D. 1905.

SAM H. NICHOLS, Secretary of State.

The roll was called by the secretary of the last state Senate, J. W. Lysons, and all the members were present.

Supreme Court Justice Wallace Mount then administered the oath of office to the senators-elect, as follows: Dr. J. I. Pogue, Dr. C. G. Brown, Walker A. Henry, E. C. Bratt, H. M. Boone, S. S. Russell, C. T. Hutson, Fred M. Pauly, J. P. Sharp, George A. Kennedy, Walter J. Reed, E. M. Rands, A. L. Watson, J. A. Veness, A. S. Ruth, R. W. Condon, Carey L. Stewart, W. E. Bronson, Walter Christian, Lincoln Davis, T. B. Sumner, T. A. Hunter.

President Smith announced that Lieutenant Governor-elect Charles E. Coon was in the lobby and Senators Clapp and Van de Vanter were appointed as a committee to escort him to the platform.

Senator Rands nominated for president *pro tem.* of the Senate Senator George H. Baker of Klickitat and Skamania counties; seconded by Senator Welsh.

Senator Baker was elected by the following vote:

Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter,

Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—41.

Senator Rands nominated J. W. Lysons for secretary of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated W. T. Laube for assistant secretary of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated George J. Hurley for sergeant-at-arms of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated William Connor for assistant sergeant-at-arms, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated John E. Reese for minute clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated J. H. Matthews for journal clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated J. Fred Duffy for assistant journal clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated George Race for enrolling clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated J. E. Dalton for assistant enrolling clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry,

Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Louie D. Todd for engrossing clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—41.

Senator Palmer voted nay.

Senator Rands nominated Frank Kennedy for assistant engrossing clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated G. B. Hunt for docket clerk of the Senate and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated J. C. Le Crone for calendar clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth,

Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Herbert Shaw for bill clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated John Herring for assistant bill clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated John Shepard for postmaster of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Eugene Davis for assistant postmaster of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Marvin Arnold for postoffice messenger of the Senate, and he was elected by the following vote:

Senators Baker, Boohe, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated L. W. Speece for general messenger of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated W. E. Ostrander for stenographer of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Frank Seidel for stenographer of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Emmett H. Holmes for assistant janitor of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry,

Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated C. C. McMillan for doorkeeper of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated J. C. Burns for assistant doorkeeper of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated J. M. Scott for assistant doorkeeper of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated J. W. Buker for assistant doorkeeper of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated F. M. Burke for watchman of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated C. L. Wood for night watchman of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Webb Hurley for page to the Lieutenant Governor, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Chester K. Burrows for page to the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated James Condra for page to the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry,

Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Walter Skinner for city messenger to the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated W. H. Bennett for secretary to the Lieutenant Governor, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Roy Blair for committee clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated George Taylor for committee clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated W. V. Tanner for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated John E. Dobbs for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated John E. Wilson for committee clerk of the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated H. R. Crozier for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner Tucker Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated F. A. Hall for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry,

Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Joseph Steiner for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated Than. F. Kelly for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated W. M. Olive for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated J. C. MacInnes for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated R. A. Watrous for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated J. F. Kelley for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senator Rands nominated W. E. Elwell for committee clerk in the Senate, and he was elected by the following vote:

Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—42.

Senate concurrent resolution No. 1 was introduced by Senator Clapp as follows, and was adopted unanimously by rising vote:

SENATE CONCURRENT RESOLUTION NO. 1, INTRODUCED BY SENATOR CLAPP.

WHEREAS, In His infinite wisdom, Divine Providence has seen fit to remove from his sphere of activity and usefulness among us, Edward S. Hamilton, who at the time of his death was a member of the Senate of the State of Washington; and

WHEREAS, The Legislature and the State of Washington have lost a leader and a citizen whose place it will be almost impossible to fill; and

WHEREAS, It is desired to pay special tribute to the memory of Senator Hamilton on account of his many virtues, his recognized honesty

and integrity, his admirable qualities of heart and mind, and to express our sympathy to his bereaved family, therefore be it

Resolved, That in the death of Senator Edward S. Hamilton the State of Washington and humanity have suffered an irreparable loss;

Resolved by the Senate, the House concurring, That a copy of these resolutions be spread at large upon the journals of the Senate and House and an engrossed copy thereof be furnished to the family of the late Senator Hamilton.

The following employes were sworn in by the president: J. W. Lysons, George J. Hurley, W. T. Laube, William Connor, John E. Reese, J. H. Matthews, J. Fred Duffy, George Race, John E. Dalton, Louie D. Todd, Frank Kennedy, Garrett B. Hunt, J. C. Le Crone, Herbert Shaw, John Herring, John Shepard, Eugene Davis, Marvin Arnold, L. W. Speece, W. E. Ostrander, Frank Seidel, Emmett H. Holmes, C. C. McMillan, J. C. Burns, J. M. Scott, J. W. Buker, F. M. Burke, C. L. Wood, Webb Hurley, Chester H. Burrows, James Condra, Walter Skinner, W. H. Bennett, Roy Blair, W. V. Tanner, J. E. Wilson, H. R. Crozier, F. A. Hall, Joseph Steiner, Walter Olive, J. C. MacInnes, R. A. Watrous, J. F. Kelley, George Gregory, C. B. Wood and J. E. Dobbs.

Senate concurrent resolution No. 2 was introduced by Senator Sharp, as follows:

Resolved by the Senate, the House concurring, That a joint committee of two members on the part of the Senate and three members on the part of the House be appointed to notify the Governor that the Legislature is organized and in session and ready to receive any communication he may have to make.

The resolution was adopted.

The following resolution was introduced by Senator Welsh, and was adopted:

Resolved, That the rules of the seventh session of the Senate be adopted temporarily, pending the adoption of permanent rules for the present session of the Senate.

The following resolution was introduced by Senator Veness, and was adopted:

Resolved, That a committee of three Senators be appointed to notify the House of Representatives that the Senate is now organized and ready for business.

The president appointed Senators Veness, Wilson and Hunter as a committee to wait upon the House.

The following resolution was introduced by Senator Sumner, and was adopted:

Resolved, That all officers and employes of the Senate who are elected to clerical positions be and are hereby placed under the direction of the secretary of the Senate, and all other employes be and are hereby placed under the directon of the sergeant-at-arms.

At this time the committee from the House, consisting of Representatives Dawes, Reid and Weatherford, appeared at bar of the Senate and announced that the House was organized and ready for business.

The following resolution was introduced by Senator Rands, and was adopted:

Be it resolved by the Senate, That the state auditor be and he is hereby directed to draw his warrants for the payment of the members and employes of the Senate every week of the session upon payrolls which shall be signed by the members and employes, and certified by the president and secretary of the Senate, and he is hereby authorized and directed to deliver the warrants so issued to the secretary of the Senate, taking his vouchers therefor. The incidental expenses of the Senate shall be paid upon vouchers signed by the payees, and certified by the president and secretary, and attested by the sergeant-at-arms.

The following resolution was introduced by Senator Le Crone, and was adopted:

Resolved, That the president and secretary and sergeant-at-arms of the Senate be and are hereby authorized and instructed to secure the printing of such emergency supplies as are immediately required for carrying on the work of the Senate, pending the appointment of the standing committee on printing, under whose direction subsequent printing shall be done.

The following resolution was introduced by Senator Rands, and was adopted:

Resolved, That the secretary of the senate be authorized to make such changes in assignment of the clerks as in his judgment will give to this body the most efficient service.

Resolved, That all employes of the Senate be ordered to report to the secretary or sergeant-at-arms at 9 o'clock a. m. daily.

The following resolution was introduced by Senator Rands, and was adopted:

Resolved, That the doorkeepers be instructed to allow no person upon the floor of the Senate except members of this Legislature and their wives or other members of their families, duly accredited representatives of the press and employes of the Senate and House whose business requires their presence on the floor, former members of the State Senate and State officers.

The following message was received from the House:

MR. PRESIDENT:

The House has adopted Senate concurrent resolution No. 2, and in accordance therewith the speaker has appointed the following members of a joint committee to notify the Governor that the Legislature is now in session and ready to receive any communication he may have to make. The speaker has appointed N. J. Moldstad, Lee A. Johnson and M. J. Maloney as committee on the part of the House.

Respectfully,
STOREY BUCK, Clerk of the House.

At 12:37 o'clock p. m., on motion of Senator Sumner, the Senate adjourned until 10 o'clock a. m. tomorrow, January 10th.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

SECOND DAY.

SENATE CHAMBER,
OLYMPIA, WASH., Tuesday, January 10, 1905,
10 o'clock a. m.

President Smith called the Senate to order at 10 o'clock a. m. pursuant to adjournment.

The secretary called the roll; all members present.

Rev. A. J. Sawin offered prayer.

The journal of yesterday was read and approved.

The following resolution was introduced by Senator Ruth:

***Be it resolved by the Senate*, That the sergeant-at-arms is hereby instructed and authorized to procure such stationery and desk supplies as may be necessary for the members and officers of the Senate by requisition upon the party, or parties, having the necessary supplies for sale, said supplies to be purchased by said sergeant-at-arms to the best advantage of the State of Washington. Said requisitions to be made in duplicate, one copy to be filed with the secretary of state and one copy to be filed with the party furnishing said supplies.**

Senator Graves moved to amend the resolution by providing that fountain pens should not be included in the supplies to be purchased.

The amendment was lost.

Senator Clapp moved to amend the resolution by providing for the purchase of the supplies on competitive bids.

The amendment was carried. The resolution as amended was adopted.

Senator Sharp, of the Joint Committee appointed to wait on the Governor, reported that Governor McBride would deliver his message before the joint session to be held on Wednesday, January 11, 1905.

The following communication was read from the Secretary of State:

OFFICE OF DEPARTMENT OF STATE,
OLYMPIA, WASH., January 9, 1905.

To the Honorable President of the Senate:

SIR: In conformity with section 12, of article 3 of the State Constitution, I have the honor to transmit herewith, for the consideration of the Senate, the following bills which were passed at the last session of the Legislature, vetoed by the Governor and filed in this office with the Governor's veto attached thereto:

Senate bill No. 169, for the relief of E. G. Bickerton.

Senate bill No. 85, for the relief of the Puget Sound Saw Mill and Shingle company.

Very respectfully,
SAM H. NICHOLS, Secretary of State.

The vetoes were, on motion of Senator Stewart, made a special order for Monday, January 16, 1905, at 2 o'clock.

Senate concurrent resolution No. 3, by Senator Sumner, pro-

viding for a joint session this afternoon at 1:30 o'clock for the purpose of canvassing the vote for state officers, was adopted.

Senate concurrent resolution No. 4, by Senator Sharp, was adopted as follows:

Resolved by the Senate, the House concurring, **that the Senate meet the House in joint session on Wednesday, January 11, 1905 at 2 o'clock p. m., for the purpose of hearing the Governor's message and the inaugural address of the Governor-elect.**

Senate concurrent resolution No. 5, by Senator Russell, was adopted as follows:

Be it resolved by the Senate, the House concurring, **That the bill clerk of the Senate and the bill clerk of the House be, and they are hereby instructed to file with the state librarian two copies of all Senate and House bills printed from day to day, the same to be kept on file in the state library as a permanent record.**

INTRODUCTION OF BILLS.

Senate bill No. 1, by Senator Stansell: An act regulating common carriers, fixing the maximum railroad passenger rates in the State of Washington and providing for the due enforcement and observance of the rates so fixed.

The bill was read first time, and on motion of Senator Stansell the rules were suspended, bill read second time by title, ordered printed, and referred to the Committee on Railroads and Transporation, when appointed.

Senate bill No. 2, by Senator Tucker: An act amending the divorce statutes and providing for the taking and filing of testimony and payment of fees therefor.

The bill was read first time, and on motion of Senator Tucker the rules were suspended, the bill read second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 3, by Senator Tucker: An act prohibiting the sale of milk in which formaldehyde or other poisonous substances shall have been mixed as an ingredient; declaring the same to be a felony, providing a penalty therefor, and requiring the State

dairy and food commissioner, attorney general and prosecuting attorneys to enforce the provisions hereof.

The bill was read first time, and on motion of Senator Tucker the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Medicine, Dentistry, Surgery and Hygiene, when appointed.

Senate bill No. 4, by Senator Tucker: An act authorizing the incorporation of fire department relief associations in cities and towns in this State; to provide a firemen's pension fund for the pensioning of disabled firemen and the widows and minor children of deceased firemen; to create a board of trustees of such fund, etc.

The bill was read first time, and on motion of Senator Tucker the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 5, by Senator Tucker: An act repealing chapter 59, Session Laws of 1899, same being an act entitled: "An act relating to the law of libel and providing for opportunity of retraction of libel, and declaring an emergency."

The bill was read first time, and on motion of Senator Tucker the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 6, by Senator Wilson: An act creating two certain funds in the state treasury; one to be known as the current fund of the agricultural college and school of science, and the other to be known as the normal school current fund.

The bill was read first time, on motion of Senator Wilson the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Educational Institutions, when appointed.

Senate bill No. 7, by Senator Boone: An act establishing a railroad and transportation commission for the State of Washington, etc.

The bill was read first time, and on motion of Senator Boone the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Railroads and Transportation, when appointed.

Senate bill No. 8, by Senator Potts: An act providing for a certain state wagon road.

The bill was read first time, and on motion of Senator Potts the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Roads and Bridges, when appointed.

Senate bill No. 9, by Senator Potts: An act making the drawing or uttering of a bank check or draft for the payment of money without funds or credit to meet the same upon presentation a felony, and prescribing a penalty therefor, and declaring an emergency.

The bill was read first time, and on motion of Senator Potts the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 10, by Senator Potts: An act providing for the appointment in all cities of the first class of a "sealer of weights and measures," defining his duties and prescribing penalties and punishments for the violation of its provisions.

The bill was read first time, and on motion of Senator Potts the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 11, by Senator Potts: An act establishing the office of public administrator, and defining the powers and duties of such officer.

The bill was read first time, and on motion of Senator Potts the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 12, by Senator Tucker: An act providing for the appointment of an additional judge in the superior court of King county.

The bill was read first time, and on motion of Senator Tucker the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 13, by Senator Russell: An act in relation to estrays, prescribing penalties for the violation thereof, etc.

The bill was read first time, and on motion of Senator Russell the rules were suspended, bill read second time by title, ordered

printed, and referred to Committee on Dairy Live Stock, when appointed.

Senate bill No. 14, by Senator Reed: An act to establish a railroad commission, which shall regulate railroad and express charges, etc.

The bill was read first time, and on motion of Senator Reed the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Railroads and Transportation, when appointed.

Senate bill No. 15, by Senator Rands: An act providing for the exhibition of products of the State of Washington at the fair at Portland in 1905, etc.

The bill was read first time, and on motion of Senator Rands the rulees were suspended, bill read second time by title, ordered printed, and referred to Committee on Railroads and Transportation, when appointed.

Senate bill No. 16, by Senator Pauly: An act authorizing cities to fix the charges for water, gas, electric light, telephones, etc.

The bill was read first time, and on motion of Senator Pauly the rules were suspended, bill read second time by title and referred to Committee on Judiciary, when appointed.

Senate bill No. 17, by Senator Pauly: An act regulating the hours of labor, etc.

The bill was read first time, and on motion of Senator Pauly the rules were suspended, bill read second time by title, ordered printed, and referred to the Committee on Labor and Labor Statistics, when appointed.

Senate bill No. 18, by Senator Welsh: An act amending the constitution of the State of Washington, relating to the exercise of the powers of eminent domain and private ways of necessity.

The bill was read first time, and on motion of Senator Welsh the rules were suspended, bill read second time by title, ordered printed, and referred to Committee on Constitution and Constitutional Revision.

The following employes were sworn in by the president: George W. Taylor, W. E. Elwell.

On motion of Senator Palmer, Senate adjourned till 1:15 o'clock this afternoon.

AFTERNOON SESSION.

Senate called to order at 1:15 o'clock p. m. by President Smith, pursuant to adjournment.

Secretary called the roll. All members present except Senators Baker, Graves, Smith (S. T.) and Sumner.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 10, 1905.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 3, relative to a joint session of the Senate and House to canvass the State election returns.

STOREY BUCK, Clerk of the House.

A committee from the House, consisting of Representatives Dawes, Hare and Ayer, announced that the House was ready to meet the Senate and to canvass the election returns of the State.

On motion the Senate adjourned to meet the House in joint session.

JOINT SESSION.

The joint session was called to order at 1:30 p. m. The speaker presided.

Roll call of the Senate showed all members present.

Roll call of the House showed all members present except Messrs. Bartlett, Weir and Bishop.

The joint session proceeded to canvass the election returns of the various counties, for state executive officers.

The speaker announced the result of the canvass of votes for State officers as follows:

JUDGES OF THE SUPREME COURT.

Frank H. Rudkin..... 86,670
Mark A. Fullerton..... 94,224
Alfred Battle 39,308
A. Brearcliff..... 1,330
J. W. Monett..... 1,403
Wm. McDevitt..... 8,924
D. W. Phipps..... 8,959

Frank H. Rudkin's plurality, 47,362.
Mark A. Fullerton's plurality, 54,916.

GOVERNOR.

Albert E. Mead..... 74,278
George Turner..... 59,119
Wm. McCormick..... 1,070
D. Burgess..... 7,420
Ambrose H. Sherwood..... 2,782

Albert E. Mead's plurality, 15,159.

LIEUTENANT GOVERNOR.

Charles E. Coon.....75,971
Stephen Judson..... 50,758
J. C. Anderson..... 1,172
Sigmund Roeder..... 8,022
Wm. H. Shields..... 3,010

Chas. E. Coon's plurality, 25,213.

SECRETARY OF STATE.

Sam H. Nichols 85,140
P. Hough..... 43,002
J C. Schaffer..... 1,228
Geo. E. Boomer..... 8,418
James McDowell..... 3,078

Sam H. Nichols' plurality, 42,138.

TREASURER.

George G. Mills..... 85,358
George Mudgett..... 45,571
S. M. Dehly..... 1,185
Bernard Goerkes..... 8,317
Guy Possom..... 3,034

George G. Mills' plurality, 39,787.

AUDITOR.

Chas. W. Clausen..... 85,261
R. Lee Purdin..... 42,834
J. Lee 1,219

A. F. Payne..... 8,384
Clinton F. Gridley..... 3,054
Chas. W. Clausen's plurality, 42,427.

ATTORNEY GENERAL.

John D. Atkinson..... 84,409
Charles H. Neal..... 44,503
F. Crossman..... 1,236
O. C. Whitney..... 8,523
John D. Atkinson's plurality, 39,906.

COMMISSIONER OF PUBLIC LANDS.

E. W. Ross..... 85,407
Van R. Peirson..... 42,404
F. H. Conant..... 1,237
J. F. La Clerc..... 8,478
W. H. Lichty..... 2,991
E. W. Ross' plurality, 43,003.

SUPERINTENDENT PUBLIC INSTRUCTION.

R. B. Bryan..... 83,914
Walter D. Gerard..... 43,975
J. J. Woods..... 1,227
Frances C. Silvester..... 8,392
A. B. L. Gellermann..... 3,037
R. B. Bryan's plurality, 39,939.

CONSTITUTIONAL AMENDMENT.

For 17,060
Against 11,371
Majority for, 5,689.

The speaker declared the following elected:

For Judges of the Supreme Court—Frank H. Rudkin and Mark A. Fullerton.
For Governor—Albert E. Mead.
For Lieutenant Governor—Chas. E. Coon.
For Secretary of State—Sam H. Nichols.
For Treasurer—George G. Mills.
For Auditor—Chas. W. Clausen.
For Attorney General—John D. Atkinson.
For Commissioner of Public Lands—E. W. Ross.
For Superintendent of Public Instruction—R. B. Bryan.

On motion of Mr. Gleason the joint session dissolved at 2:10 p. m.

Senate called to order by President Smith at 2:15 o'clock p. m.

On motion of Senator Palmer, at 2:15 o'clock p. m., the Senate adjourned till Wednesday, January 11, 1905, at 11 o'clock p. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

THIRD DAY.

SENATE CHAMBER,
OLYMPIA, WASH., Wednesday, January 11, 1905.
11 o'clock a. m.

MORNING SESSION.

Senate called to order at 11 o'clock a. m. by President Smith, pursuant to adjournment.

The secretary called the roll; all members being present except Senator Van de Vanter, excused.

Rev. J. A. Sawin offered prayer.

On motion the reading of yesterday's journal was dispensed with and it was approved.

The following resolution was introduced by Senator Stewart, and adopted:

Resolved, That the sergeant-at-arms be, and is hereby, authorized and directed to supply to each member of the Senate and to the president, secretary and assistant secretary, sergeant-at-arms and assistant sergeant-at-arms, five dollars' worth of postage stamps.

Senator Ruth introduced the following resolution, which was adopted:

Resolved by the Senate of the State of Washington, That the president of the Ministers' Association of Olympia be requested to arrange with resident and visiting ministers to open the daily sessions of the Senate with prayer.

The following resolution was introduced by Senator Rands, and adopted:

***Resolved*, That a committee of three be appointed by the president of the Senate to designate the occupancy and uses to which each of the several committee rooms shall be put.**

The president appointed as such committee Senators Rands, Bronson and Moore.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read by the secretary:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., January 10, 1905.

To the Honorable, the Senate of the State of Washington, Senate Chamber, Olympia, Washington.

GENTLEMEN: I have the honor to submit herewith a list of appointments, subject to your confirmation, made by me since the session of the Eighth Legislature:

Board of Trustees of State Normal School at Ellensburg—Mr. H. M. Baldwin, of Ellensburg, appointed for the term ending June 26, 1910, succeeding himself, term expired.

Board of Trustees of State Normal School at Whatcom—J. C. Minton, of Bellingham, appointed for the term ending June 12, 1905, succeeding L. P. White, deceased.

State Board of Health and Bureau of Vital Statistics—W. S. Durand, of Everett, appointed for the term ending December 30, 1908, succeeding J. S. McIlhaney, term expired.

Pilot Commissioner, Straits of Fuca and Puget Sound—N. T. Oliver, of Port Townsend, at the pleasure of the Governor, succeeding Charles H. Jones, deceased.

Regents University of Washington—George H. King, Seattle, appointed for the term ending the second Monday in March, 1908, succeeding A. J. Blethen, not confirmed; F. A. Hazeltine, South Bend, appointed for the term ending the second Monday in March, 1910, succeeding James E. Bell, term expired; Frank T. Post, Spokane, appointed for the term ending the second Monday in March, 1910, succeeding James Z. Moore, term expired.

State Board of Control—Henry T. Jones, Spokane, appointed for the term ending March 31, 1909, succeeding Ernest Lister, term expired; Jesse T. Mills, Olympia, appointed for the term ending March 31, 1907, succeeding C. S. Reed, resigned.

Regents Agricultural College and School of Science—U. L. Ettinger,

Colfax, appointed for the term ending March 9, 1907, succeeding J. W. Stearns, resigned; J. P. Sharp, Ellensburg, appointed for the term ending March 9, 1905, succeeding H. W. Canfield, resigned; Frank J. Barnard, Seattle, appointed for the term ending March 9, 1909; succeeding himself, term expired; R. C. McCroskey, Garfield, appointed for the term ending March 9, 1909, succeeding himself, term expired.

State Board of Education—J. M. Hitt, Port Townsend, appointed for the term ending first Monday in March, 1905, succeeding Miss Sarah Lawton, term expired; S. W. Yerkes, Seattle, appointed for the term ending first Monday in March, 1905, succeeding Mrs. Clara Ryan, term expired; J. W. Shepherd, Walla Walla, appointed for the term ending first Monday in March, 1905, succeeding Miss Grace C. Henderson, term expired; H. B. Dewey, Tacoma, appointed for the term ending first Monday in March, 1905, succeeding Mrs. Carrie Shaw Rice, term expired.

State Fair Commission—J. E. Shannon, North Yakima, appointed for the term ending March 27, 1907, succeeding himself, term expired; E. J. Wyman, North Yakima, appointed for the term ending March 27, 1907, succeeding E. F. Benson, term expired; W. L. Wright, North Yakima, appointed for the term ending March 22, 1905, succeeding William H. Vessey, resigned; W. H. Cline, Sunnyside, appointed for the term ending March 27, 1907, succeeding T. B. Gunn, term expired; L. O. Janeck, North Yakima, appointed for the term ending March 22, 1905, succeeding A. J. Splawn, resigned.

Very respectfully,

HENRY MCBRIDE, Governor.

On motion of Senator Baker the communication was made a special order for Friday, January 20, 1905, at 2 o'clock p. m.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., January 10, 1905.

Gentlemen of the Senate and House:

I have the honor to report, in conformity with article III, section 11 of the State Constitution, the list of pardons and commutations of sentence granted by me, with reasons therefor, since the last session of the Legislature.

Respectfully,

HENRY MCBRIDE, Governor.

PARDONS.

CHARLES GROAMES.—Charles Groames was convicted in Pierce county of murder in the second degree, on the 13th day of February, 1898, and sentenced to a term of twenty years in the penitentiary. The petition asking for his pardon contained a strong appeal from the then prosecuting attorney of Pierce county, who was convinced of the prisoner's innocence—the conviction having been obtained on circumstantial evidence—as well as a request from the prose-

cuting attorney who conducted the prosecution and other public officials. It was also shown that Groames was in poor health and had been a model prisoner. Pardon was granted November 14, 1903.

WALTER H. ERVING.—Walter H. Erving was convicted in Island county of murder in the second degree, in September, 1897. The evidence was circumstantial, the crime having been committed in 1894, and the arrest not having been made for more than two years thereafter. In the year 1902 an unknown man committed suicide near Seattle. Near where the body was discovered a note was found in which the writer confessed to the murder in question. Considering all the facts in the case as presented at the hearing a pardon was deemed proper. It was granted June 1, 1903.

JAMES EVANS.—James Evans was convicted in King county of murder in the second degree and sentenced February 9, 1892, to a term of nineteen years. Pardon was recommended by the presiding judge and prosecuting attorney who conducted the case. Pardon was signed April 1, 1903.

JOSEPH F. BURKE.—Joseph F. Burke was a young man of previous good character who was, in King county, on the 7th day of March, 1902, sentenced to a term of two years in the penitentiary for the crime of assault with intent to commit robbery. A petition asking for his pardon was signed by the trial judge, the prosecuting attorney who conducted the case, the sheriff and other officials, and a pardon was granted April 1, 1903.

SAMUEL SAMPSON.—Samuel Sampson was, in Skagit county, August 31, 1902, sentenced to the penitentiary for a term of fourteen months for the crime of grand larceny. He was, previous to the commission of this crime, a young man of good character. A pardon was issued April 10, 1903, on petition of the prosecuting attorney who conducted the case, and several officials and prominent citizens of Whatcom and San Juan counties, where he had previously resided and was well known.

BEDFORD SKELTON.—Bedford Skelton was, in Whatcom county, on the 8th day of June, 1901, sentenced to a term of ten years in the penitentiary for the crime of rape. Clemency was recommended by the presiding judge, the prosecuting attorney who conducted the case, and others. The judge and attorney were convinced by developments subsequent to the trial that the prosecuting witness was a degenerate, and unchaste prior to the commission of the crime. A pardon was granted May 6, 1903.

WALTER BROWN.—Walter Brown was, on the 6th day of January, 1902, in Pierce county, sentenced to a term of two years in the penitentiary for the crime of forgery. On July 1, 1904, about four months prior to the expiration of his term of imprisonment a pardon was granted upon recommendation of the superintendent of the prison, it being Brown's first offense and his conduct in the prison having been exemplary.

GEORGE EMANUEL.—George Emanual was, in King county, February 3, 1903, sentenced to a term of eight years in the penitentiary for the crime of burglary. This was a case where a man, just released from prison, and, who, apparently, desired to reform, was followed by the police and ordered out of both Tacoma and Seattle. Instead of leaving Seattle he secured employment with a responsible firm. A burglary was committed and Emanuel was taken before the woman of the house who identified him as the criminal. After the man was imprisoned evidence was secured that convinced the judge, the prosecuting attorney and eleven of the jurors that Emanuel was innocent. Upon their recommendation a pardon was granted July 3, 1903.

BEN DRISCOLL.—Ben Driscoll was, in Spokane county, June 4, 1903, sentenced to a six months term of imprisonment in the Spokane county jail for the crime of gross lewdness. He was a young man of previous good character. The presiding judge, upon request, ordered an examination by physicians of the young man's physical condition. A unanimous report was made by five physicians that further imprisonment was likely to result in serious impairment of his

health and would be dangerous. For this and other reasons the judge recommended a pardon, and it was granted July 20, 1903.

BERT COFER.—Bert Cofer was, in Spokane county, December 19, 1902, sentenced to a term of one year and six months in the penitentiary for the crime of horse stealing. Upon recommendation of the presiding judge and prosecuting attorney who conducted the case a pardon was granted September 19, 1903

JOHN HEARST and JOHN SNIDER.—John Hearst and John Snider resisted arrest in the city of Dayton and were, August 13, 1903, sentenced under a state law, for the crime of assault and battery, to three months in the Columbia county jail at hard labor. A petition for pardon was signed by the trial judge, prosecuting attorney, sheriff, policeman who was assaulted, justice of the peace, and other officials. It was granted September 19, 1903.

EDWARD MORRIS.—Edward Morris was convicted in Spokane county for the crime of grand larceny and was sentenced April 14, 1902, to two and one-half years in the penitentiary. He was pardoned August 19, 1903.

WILLIAM BULLARD.—William L. Bullard was sentenced June 23, 1903, to eleven months in the Walla Walla county jail for assault and battery. A pardon being recommended by the trial judge, the prosecuting attorney, sheriff, and others, the same was granted October 19, 1903.

J. J. GRANT.—J. J. Grant was, in Jefferson county, February 5, 1900, sentenced to a term of ten years in the penitentiary for the crime of rape. He was an old man, had been a soldier and had always borne a good character. The trial judge was satisfied the case was a weak one; that conviction would have been extremely doubtful; that Grant was led into entering a plea of guilty under the promise (without the knowledge of the court) from persons in authority that he would be given a sentence of not over two years. Owing to Grant's advanced age the sentence was considered equivalent to a life sentence. Numerous petitions were forwarded asking for the pardon of Grant, and the pardon was signed October 26, 1903.

JAMES BOWEN.—James Bowen, was, in Chehalis county, December 3, 1901, sentenced to a term of five years in the penitentiary for the crime of rape. Upon recommendation of the superintendent and the physician of the penitentiary that Bowen, who was suffering from tuberculosis, and should be released, as his continued residence was detrimental to the general health of the institution, as well as for other reasons, a pardon was issued November 3, 1903.

A. M. WITHAM.—A. M. Whitham was, in Whatcom county, June 8, 1901, sentenced to a term of fifteen years in the penitentiary for the crime of rape. Witham was convicted jointly with Bedford Skelton, heretofore reported, and the petition for his pardon was signed by the prosecuting attorney of Whatcom county and the trial judge. The prisoner's conduct in the penitentiary having been good, a pardon was issued December 14, 1903.

ALMA I. THOMAS.—Alma I. Thomas was, in Cowlitz county, May 14, 1903, sentenced to a term of one year in the penitentiary for the crime of adultery. The trial judge, prosecuting attorney and numerous citizens being of the opinion that Thomas erred more through ignorance than otherwise—believing he was legally married to the woman,—and that amends could be made by a legal marriage if Thomas was released, a pardon was granted February 2, 1904.

FRANK HOLEDGER.—Frank Holedger was, in Spokane county, October 30, 1895, sentenced to a term of two years in the penitentiary for the crime of publishing obscene literature. The sentence never having been enforced executive clemency was recommended by the presiding judge and a large number of leading citizens. A pardon was granted March 11, 1904.

WOODIE POOLE.—Woodie Poole was sentenced by a justice of the peace to thirty days in the Thurston county jail for indecent exposure. Owing to the physical condition of the prisoner and the great danger of contamination, the justice who sentenced him, the prosecuting attorney, and the sheriff joined in a request for pardon, which was granted April 22, 1904.

R. A. SERVIS.—R. A. Servis was, in Snohomish county, August 26, 1902, sentenced to five years in the penitentiary for the crime of grand larceny. He had been released on parole October 12, 1903, and had, by his conduct, secured the confidence of officials and citizens of Garfield county, where he resided. As Servis had never been in trouble prior to this offense, had always been a good citizen, had committed the crime while intoxicated, and showed by his conduct that he had reformed, a pardon was signed April 30, 1904.

JOHN CLARK.—John Clark was, in Pierce county, March 2, 1901, sentenced to eight years in the penitentiary for burglary. He was a homeless young man who, through associating with older men and desperate criminals, was led into crime. He was given a severe sentence. A pardon was urged by the trial judge and prosecuting attorney of Pierce county, and was granted April 30, 1904.

JOHN CORLEY.—John Corley was, in Douglas county, May 2, 1892, sentenced to twenty years in the penitentiary for the crime of murder in the second degree. He had an unusually good record in the institution during his long stay there, having filled many important positions of trust, and, more than once, had been recommended by the superintendent for pardon. As his term would expire in August he was, upon recommendation of the superintendent and a large number of the best residents of Walla Walla, pardoned May 25, 1904.

WM. D. FETTERLY was, in King county, March 13, 1904, sentenced to fifteen years in the penitentiary for the crime of rape. Fetterly was convicted upon the testimony of his step-daughter after he had quarrelled with his wife. Upon a hearing it was shown that the principal witness against Fetterly was of bad character, and, morally, a degenerate. There being much doubt of the guilt of the prisoner a pardon was granted June 2, 1904.

REINHOLD HARRAS.—Reinhold Harras was, in Walla Walla county, November 1, 1901, sentenced to four years in the penitentiary for the crime of cattle stealing. It having been his first offense, his conduct having been exemplary, and the term of his sentence being nearly at an end, a pardon was requested by the trial judge, the prosecuting attorney, and others. It was granted June 3, 1904.

ERNEST C. CALHOUN.—Ernest C. Calhoun was, in Spokane county, March 12, 1904, sentenced to one year in the Spokane county jail for the crime of assault and battery. After Calhoun had served about seven months of the sentence his health began to fail rapidly. The trial judge, together with two other members of the superior bench of Spokane county, as well as the prosecuting attorney, leading physicians of Spokane, and a large number of officials and citizens, united in a petition for his pardon. The petition was granted October 11, 1904.

H. W. DANHAWER.—H. W. Danhawer was, in King county, May 14, 1904, sentenced to one year in the penitentiary for the crime of robbery. The twelve jurors, the trial judge, and the assistant prosecuting attorney who conducted the prosecution, joined in an appeal for executive clemency, on the grounds that the prisoner was young, of previous good character, and that there was some doubt of complete identification. Pardon was granted October 24, 1904.

H. W. MITCHELL.—H. W. Mitchell was, in Pierce county, April 4, 1903, sentenced to the penitentiary for the term of five years for grand larceny. Upon recommendation of the superintendent of the penitentiary, and letters of previous good character from ex-Governor Stephens, of Missouri, and others, a pardon was issued November 30, 1904.

H. ST. JOHN DIX.—H. St. John Dix was, in Whatcom county, August 25, 1902, sentenced to the penitentiary for the term of ten years for the crime of larceny by embezzlement. The crime charged against Dix was that he had wrecked a bank by embezzling the funds, and the case was tried during the excitement following the failure of the bank. After Dix had been convicted an expert accountant examined the books and papers of the bank in the interest of the creditors and reported that Dix was the greatest individual loser by the failure of the bank, the net amount paid by St. John to and for the bank more than borrowed being $8,619.62, besides the loss of $11,700 cash paid for bank stock, now valueless. The expert also reported that "The greater part of

the indebtedness of the bank was contracted, and its funds disbursed, before August 27, 1900. In fact the testimony of Alex. W. Atkins, given in the St. John trial, and the admission of the receiver, Robert Muir, as well as the books, show that the bank was insolvent when St. John purchased the stock in the institution." A pardon was granted December 3, 1904.

JOHN W. SHEEHAN.—John W. Sheehan was, in Skagit county, February 24, 1902, sentenced to a term of ten years in the penitentiary for the crime of assault with intent to commit murder. Upon recommendation of the superintendent of the penitentiary a parole was granted Sheehan November 28, 1903. Since that date his conduct has been such that the prosecuting attorney who conducted the case and a large number of officials and citizens of that county petitioned for his pardon. The pardon was issued January 4, 1905.

CHARLES POWERS.—Charles Powers was, in Skagit county, February 24, 1902, sentenced to the state penitentiary for a term of eight years for the crime of robbery. Powers was released on parole January 14, 1904, upon recommendation of the superintendent. Since that date his conduct has merited the recognition of the prosecuting attorney and many citizens who petitioned for his pardon. The prayer of the petitioners was granted January 9, 1905.

COMMUTATION OF SENTENCE.

DOMINGO COVELLO.—Domingo Covello was, in Island county, April 26, 1892, sentenced to eighteen years in the penitentiary for the crime of murder in the second degree. The superintendent of the penitentiary recommended that Covello be released in May, instead of September, 1903—the date of the expiration of his sentence—as it would enable him to secure employment and better care for himself. Commutation of sentence was, therefore, ordered from a term of eighteen years to seventeen years and seven months, the order being issued April 29, 1903.

JOHN REYNOLDS.—John Reynolds was convicted in King county of the crime of murder in the first degree and sentenced to be hanged on Friday, February 12, 1904. The trial judge and prosecuting attorneys who conducted the case joined in a request for commutation of the sentence to imprisonment for life, which, upon hearing, was granted February 10, 1904.

GEORGE GRAY.—George Gray was, in King county, October 3, 1900, sentenced to fourteen years in the state penitentiary. He was employed for about four years as stenographer and clerk in the office of the institution, keeping the office records, etc., and had been a model prisoner. Upon recommendation of the superintendent and all of the prison officials his term was, on December 14, 1904, commuted, and he was released on New Year's day, 1905.

FRED HANSON.—Fred Hanson was, in Spokane county, December 4, 1901, sentenced to five years in the state penitentiary. Since his incarceration he had acted as electrician, had been a model prisoner and, upon recommendation of the superintendent and all of the prison officials, his term was, on December 14, 1904, commuted to enable him to be released on Christmas day.

J. E. CRONEY.—J. E. Croney was, in Stevens county, June 16, 1902, sentenced to seventeen years in the penitentiary for the crime of murder in the second degree. He had not previously been charged with crime and had always been a law-abiding citizen. The jury had recommended him to the mercy of the court, and the sentence pronounced being deemed excessive every juror within reach joined in a petition for Croney's pardon at this time, which petition was also signed by a number of county officials and the deputy prosecuting attorney. Upon a hearing of the case it was deemed proper to commute the sentence to a term of four years in the penitentiary, the papers being signed January 3, 1905.

L. W. SHULTZ.—L. W. Shultz was, in Lewis county, October 21, 1899, sentenced to the penitentiary for a term of ten years for cattle stealing. Upon recommendation of the prosecuting attorney who conducted the case, several

county officers, and many citizens of Lewis county, a commutation of the sentence from ten to eight years was signed January 9, 1905.

C. G. RABY.—C. G. Raby was convicted of the crime of grand larceny in Whitman county, and on September 15, 1902, sentenced to a term of eight years imprisonment. Recently two large petitions from the leading business men and officials of Whitman county was presented asking that the term of imprisonment be commuted. Added to this was a petition signed by all of the members of the Whitman county delegation to the legislature requesting that the sentence be commuted from eight to four years imprisonment, and the order commuting the sentence as requested was issued January 10, 1905.

INTRODUCTION OF BILLS.

Senate bill No. 19, by Senator Hutson: An act providing for and regulating the selection of jurors in the superior courts of the State and providing for the appointment of jury commissioners, etc.

The bill was read the first time, and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary, when appointed.

Senate bill No. 20, by Senator Russell: An act providing for the labeling of the vial, box, can containing any explosive substance, sold within this State, etc.

The bill was read the first time, and on motion of Senator Russell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary, when appointed.

Senate bill No. 21, by Senator Condon: An act providing for a superior judge for the county of Kitsap, in the State of Washington, and declaring an emergency.

The bill was read the first time, and on motion of Senator Condon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary, when appointed.

Senate bill No. 22, by Senator Stansell: An act creating the office of state oil inspector and providing for the inspection of petroleum and its products, etc.

The bill was read the first time, and on motion of Senator Stansell the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Mines and Mining, when appointed.

Senate bill No. 23, by Senator Stansell: An act providing for the amendment of section 23 of article 2 of the constitution of the State, relating to the prohibition of the ownership of lands in the State of Washington by aliens.

The bill was read the first time, and on motion of Senator Stansell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Constitution and Constitutional Revision, when appointed.

Senate bill No. 24, by Senator Stansell: An act providing for the appointment and election of a judge of the superior court of the State of Washington in and for the counties of Stevens and Ferry jointly, etc.

The bill was read the first time, and on motion of Senator Stansell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary, when appointed.

Senate bill No. 25, by Senator Baker: An act appropriating the sum of eighty thousand dollars, or as much thereof as may be necessary to cover the expense of the Ninth Legislature of the State of Washington.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee of the Whole.

On motion of Senator Baker the Senate resolved itself into a committee of the whole, Senator Tucker in the chair.

On motion of Senator Sumner the bill was reported back to the Senate with the recommendation that it do pass.

On motion of Senator Sumner the rules were suspended, the bill given a third reading, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands,

Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh and Wilson—40.

Those absent or not voting were: Senators Moore and Van de Vanter.

On motion of Senator Baker the rules were suspended and Senate bill No. 25 ordered transmitted immediately to the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 11, 1905.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 1, relative to printing of legislative supplies.

Also Senate concurrent resolution No. 1, relative to the death of the late Edward S. Hamilton.

Also Senate concurrent resolution No. 5, providing for filing two copies of all bills with the state librarian.

And the same are herewith transmitted.

STOREY BUCK, Chief Clerk.

On motion of Senator Clapp it was ordered that a special order be fixed for Friday, January 13, 1905, at 11 o'clock a. m. for holding memorial services for the late Senator Edward S. Hamilton.

On motion of Senator Tucker, Senate adjourned until 1:45 o'clock this afternoon.

AFTERNOON SESSION.

Senate called to order at 1:45 p. m. by President Smith, pursuant to adjournment.

The secretary called the roll, all members being present except Senator O'Donnell and Senator Van de Vanter, excused.

Senate concurrent resolution No. 6, by Senator Stewart, was adopted, as follows:

Resolved by the Senate, the House concurring, That joint services be held by the Senate and House on Thursday, January 19, 1905, at 2 o'clock p. m., for the unveiling of the monument erected to the memory of the late Governor John R. Rogers.

Resolved, That a joint committee of two on the part of the Senate and three on the part of the House, to act with the general State committee, known as the Rogers Memorial Association, be appointed by the president of the Senate and the speaker of the House, to complete arrangements for the memorial services herein provided for.

A committee from the House, consisting of Representatives Reid, Dickson and Roth, announced that the House was ready to receive the Senate in joint session.

On motion of Senator Baker the Senate adjourned to meet the House in joint session.

JOINT SESSION.

The Senate was announced by the sergeant-at-arms, and was invited within the bar of the House.

The joint session was called to order by the speaker, and Senator J. J. Smith, president of the Senate, presided.

The roll of the Senate was called and showed all present.

The roll of the House was called and showed all present except Messrs. Bartlett and Weir, who were excused.

The president appointed Senators Hammer and Sharp and Representatives Moldstad, Vilas and Doolittle to notify Governor McBride that the Senate and House of Representatives in joint session awaited his pleasure.

Governor McBride appeared before the joint session and delivered the following message:

The following is the final message of Governor McBride:

MESSAGE OF GOVERNOR McBRIDE.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., January 11, 1905.

Gentlemen of the Senate and of the House of Representatives:

Section 6, Article III, of the state constitution, requires the Governor to communicate at every session by message to the Legislature the condition of the affairs of the State, and recommend such measures as he

shall deem expedient for their action. While under this section it is clearly the duty of the outgoing Governor to communicate to the Legislature the condition of the affairs of the State, it is generally considered that the recommending of new measures does not fall within his province, except, perhaps, such as may be necessarily connected with or growing out of information that he may have to impart.

The finances of the State are in a healthy condition. For the biennial term ending September 30, 1902, the State indebtedness was reduced $131,222.34, and for the biennial term ending September 30, 1904, $122,-610.86, making a total reduction during the four years of $253,833.20.

The reduction of the State indebtedness for the biennial term ending September 30, 1904, in the sum of $122,610.86, is largely due to the fact that, in several instances, it has been found not necessary to expend the entire amounts appropriated at the last session. Of the appropriations made under the head of "For Governor's Office," about $27,000.00 will revert to the treasury. Something over $50,000.00 will remain unexpended out of the appropriations made for the maintenance of the State institutions under the management of the State board of control. The Louisiana Purchase Exposition commission of this State, after returning here such exhibits as may be suitable for use at the Lewis and Clark Exposition, will probably have an unexpended balance of between eight and nine thousand dollars. Out of an appropriation of $3,000.00 to be paid upon certificates of the labor commissioner, "For settlement of differences between employers and employes," only $76.20 has been used. These items I have mentioned as reverting to the treasury will reach a total of between eighty-five and ninety thousand dollars.

In the matter of appropriations I feel I would be falling short of my full duty did I not address a word of caution to the Legislature. The needs of the State are many. Many requests will be made, and there are many worthy objects to which it would be pleasing to lend aid by way of appropriations were it possible to do so. To keep the expenditures within the revenues will require a constant struggle. After the adjournment of the last session I felt constrained to disapprove appropriation bills and items of appropriation bills amounting to more than four hundred thousand dollars. Had not this been done, and had it not been found unnecessary to expend the entire amounts authorized by other appropriation bills, the State debt, instead of having been reduced during the last biennial term, would have been increased several hundred thousand dollars. This statement is made not through any desire to revive old controversies, but for the sole purpose of emphasizing the necessity of caution in these matters. It is not a pleasant task for an executive to be compelled, after adjournment, to disapprove numerous measures of the legislative branch of government, or else, as a penalty for not doing so, to accept the responsibility of seeing the State indebtedness very largely increased. In this, the closing act of my administra-

tion, I feel my motives will not be misunderstood in suggesting that this burden should not be placed upon the Executive.

The State soldiers' home, Western Washington hospital for insane, Eastern Washington hospital for insane, State penitentiary, State reform school, and State school for defective youth—institutions under the management of the State board of control—are entitled to your first consideration in the matter of appropriations. The increase in the number of the inmates renders necessary increased amounts for the maintenance of all of these institutions except the State reform school. Owing to their present rather crowded condition, and to the certainty that the number of their inmates will continue to increase, new buildings are also needed at all these institutions except the reform school. I invite your attention to the detailed report of the State board of control. Their successful and business-like management of these institutions entitles their recommendations to great weight.

The State educational institutions dependent for support upon appropriations made by the Legislature, namely, the University of Washington, the State agricultural college and school of science, and the normal schools at Ellensburg, Cheney and Bellingham, are all in a flourishing condition. Their several boards of regents and boards of trustees consist of men who take pride in their work. By careful attention to their duties, and through devoting their time to the upbuilding of the institutions with which they are connected, they have rendered valuable services to the State. Not least among their merits is the fact that they have absolutely divorced politics from our educational institutions. These institutions in the past could, no doubt, have used to advantage more money than was at their disposal; and could, no doubt, in the next two years use to advantage more than you will be able to grant them. They should, however, be dealt with as liberally as is consistent with preserving the proper balance between the State's expenditures and revenues. In this connection I wish to call attention to the fact that October 1, 1904, there was on hand in the scientific school fund $27,051.99; in the agricultural college fund $25,859.00; in the charitable, educational, penal and reformatory institutions fund $47,823.76; and in the normal school fund $16,916.04, making a total on hand in these funds of $117,650.79. When the last Legislature convened a test case was pending in the supreme court of this State to determine whether these several funds, like the common school fund, were permanent and irreducible so that only the interest could be expended, or whether the principal could be expended. Before adjournment it was decided that these funds were permanent and irreducible and that only the interest could be expended; but in the hurry of the closing days of the session the matter seems to have been overlooked and no provision was made for their investment. As there is no good reason why this money should remain idle in some bank, provision should be made for the proper investment of these funds to the end that the educational institutions entitled thereto may receive some benefit from the same.

The national guard of the State as now constituted is a very efficient organization. It stands high in the estimation of officers in the regular army. Its present high state of efficiency I attribute very largely to the fact that politics has been entirely barred from the organization. While there is no need of enlarging it beyond the limits now authorized by law, yet within those limits it should be cheerfully supported. for I am satisfied that if its services are ever needed it will give a good account of itself.

The fund for the maintenance of the capitol building became exhausted October 1, 1904, and it became necessary for the capitol commission to make provision for the payment of running expenses for the ensuing months of October, November, and December. At the request of the commission the Capital National bank of Olympia advanced the necessary funds for this purpose, amounting to the sum of $1,804.31, agreeing to look to the Legislature for reimbursement. To reimburse this bank I would recommend the passage of a relief bill for the sum advanced.

December 28, 1904, I received from the supreme court of this State the following communication:

"The Legislature of 1903, in an amendment to the law relating to the admission of attorneys to the bar, enacted, among other things, that the Supreme Court might 'appoint three attorneys at law, members of the bar of said court of not less than five years' standing, as a board of examiners to conduct written examination of applicants for admission to the bar, under the direction of said court, the members of which said board shall hold office for one year from and after their appointment, unless sooner removed by the court;' and also enacted, that the 'members of said board of examiners shall be allowed and paid a per diem not to exceed ten dollars per day during their attendance upon said court in the conduct of said examination, and mileage at the rate of five cents per mile for every mile actually traveled going to and returning from attendance upon the court at such examination.' No appropriation, however, was made to meet the expenses that would be created by the appointment of such board. But, notwithstanding the want of such an appropriation, this court, owing to the pressure upon it of constantly increasing business which could not be delegated, felt compelled to relieve itself of the burden of conducting the examination of applicants in person by the appointment of a board of examiners under the act. To that end, on December 16, 1903, the court named as members of such board, Mr. P. M. Troy of Olympia, Mr. James B. Murphy of Seattle, and Mr. J. B. Bridges of Aberdeen, each of whom is a member of the bar of this court, and otherwise qualified to act as a member of such board according to the terms of the law. These gentlemen accepted their appointments, and have served continuously ever since, each having been reappointed at the expiration of his first year's service.

"By the terms of the statute the several members of the board have become entitled to the following sums from the State, namely:

	Mileage	Per Diem	Total
Mr. P. M. Troy	.....	$ 90.00	$ 90.00
Mr. James B. Murphy	$19.20	100.00	119.20
Mr. J. B. Bridges	12.80	60.00	72.80
Grand total			$282.00

"As the members of the board have not only given the time necessary to a faithful and conscientious discharge of the duties imposed by virtue of such

appointment, but have also borne their own expenses while in the discharge of such duties, the court feels that it would be no more than just that the coming Legislature make provision for the payment to them of the amounts earned as above stated. The court, therefore, begs to call your attention to the matter, and requests that you, in any way that you may deem most fitting, call it to the attention of the Legislature, so that that body may have an opporunity to take such action concerning such payment as in its wisdom it may deem appropriate."

Fully agreeing with the court, I recommend an appropriation sufficient to cover the claims of the "board of examiners."

A subject of very great importance to the State is that of irrigation. June 17, 1902, what is known as the "Reclamation act" was passed by congress, reserving, setting aside and appropriating as a special fund in the treasury, to be known as the "Reclamation fund," the proceeds derived from the sale of public lands, excepting five per cent. thereof, in thirteen states, including Washington, and three territories, said "Reclamation fund to be used in the examination and survey for, and the construction and maintenance of irrigation works for the storage, diversion, and development of waters for the reclamation of arid and semi-arid lands in the said states and territories." It seems to be the intent of the act that the money derived from the sale of public lands in each of said states is to be expended in that state "subject to the existence of feasible irrigation projects therein," provided the laws of the State are such that the spirit and purpose of the act can be complied with. I understand that this State has contributed in the neighborhood of three and one-half million dollars to the "Reclamation fund." It is certainly of the utmost importance to the State that this money should be expended in the State. Whether this can or will be done seems to hinge, first, upon the existence of feasible irrigation projects in the State, from an engineering standpoint, and, second, upon whether, our laws are such that those in charge of the reclamation service would deem it feasible to attempt to carry out such irrigation projects as may be feasible from an engineering standpoint. No one doubts the existence of feasible irrigation projects in the State from an engineering standpoint, and it seems equally clear that our laws are not such as to warrant those in charge of the reclamation service in undertaking to carry out such projects. Therefore, in the final analysis, the question whether the money contributed by this State to the "Reclamation fund" is to be expended in this State depends upon the action of this Legislature. This, in my opinion, is one of the most important subjects which you will be called upon to consider. Some time ago it was suggested to me by officials of the United States reclamation service that under our laws, as they now are, it would not be feasible to undertake any irrigation project in this State. I was also requested by various boards of trade and chambers of commerce, and persons interested in irrigation, to appoint an "irrigation commission" to study the question. There was no law authorizing the appointment of such a commission, and there was nothing it could do that would be binding upon the State, but, after careful consideration, I concluded to appoint an "irrigation

commission" for the purpose of investigating the subject of irrigation and recommending such changes in our irrigation laws as might be deemed for the best interests of the State, to the end that I might be able to lay before this Legislature the result of its labors for such action as in your wisdom you may determine. I appointed as members of that commission the following named gentlemen: J. H. Smithson, Austin Mires, Geo. P. Cottrell, John A. Shackleford, Walter H. Granger, Harold Preston, E. A. Bryan, N. G. Blalock, Charles P. Lund, and W. B. Bridgeman. After diligent study and extended research the commission embodied its conclusions in a report which will be submitted to you and to which I wish to invite your most careful attention. The time devoted to the subject and the acknowledged ability of the members of the commission entitle its conclusions to respectful consideration. The members of this commission do not desire and would not accept any compensation for their services, but, with some reluctance, they have consented to me recommending an appropriation sufficient to cover their actual expenses. These expenses, including fees of stenographers and expense of printing report, amount to $1,080.40. A detailed statement of these expenses will be placed before your appropriation committees, and I recommend an appropriation sufficient to cover the same.

I feel like congratulating the people of the State upon the fact that sentiment is now almost unanimous in favor of the passage of a railway commission bill. Many who have been bitterly opposed to it in the past now seem to be clamoring for the enactment of such a measure. Their sincerity will be put to the test during this session. It is needless for me to say that there are commission bills and commission bills. A commission bill that is a commission bill in name only instead of quieting would serve to increase the agitation that has been carried on in this State upon this question. What is needed is a regulative, appointive railway commission clothed with ample power to remedy existing abuses. Any other kind of a commission, in my judgment, would prove to be worse than useless. I trust the wisdom of this Legislature may be sufficient to settle this question properly, for, in my judgment, it will never be settled in this State until it is settled right.

In conclusion, permit me to express the hope that your duties may prove to be pleasant and congenial and that your labors may redound to the honor and to the credit of the State.

The president appointed Senators Hunter and Wilson and Representatives Roth, Sheets and Crane to escort Governor-elect Albert E. Mead to the bar of the House.

Governor-elect Albert E. Mead appeared before the joint session.

Chief Justice Wallace Mount administered the oath of office to Governor-elect Albert E. Mead.

Governor Mead delivered the following inaugural address:

INAUGURAL ADDRESS.

Called by my fellow citizens to fill the most honorable position in the councils of the State and entrusted with the stewardship of the highest interests of an intelligent and hospitable people, I accept the invitation, realizing full well in advance its grave duties, its mighty obligations, its never ending responsibilities, its perplexing, unsolved and almost insoluble problems.

In obedience to your summons, and mindful of the confidence and trust to me extended, I enter upon the prosecution of the exalted duties of the Chief Executive as prescribed by the Constitution and Laws of your State and mine. I do so with the abiding conviction that the united support of the sterling and patriotic citizenship of this State, aided and influenced by the favors of a just, charitable and kind Providence, will point the way and illumine the path of my ambition to have written in our future annals the simple but forceful sentence that the fifth Governor of this commonwealth was a faithful, energetic and courageous servant of the people.

No consideration of political service or personal friendship will permit the appointment of inefficient applicants in the public service, or retain in office a proven incompetent or unfaithful public official. From the highest official to the lowest subordinate, the people are entitled to the very best service obtainable in the State in the management of its affairs and in the conduct of its business.

Our educational institutions and public school system have been invigorated by bountiful contribution from the hand of a generous and farseeing Government in the form of various land grants. We shall continue in the future to supplement the revenues so received by sufficient amount raised by direct taxation to maintain our public school and higher educational facilities upon the highest plane. The national and State Governments long ago assumed the duty and burden of standing for the education of the children, in order to be assured of an intelligent and patriotic citizenship.

The student in the higher educational institutions should receive wholesome advice and instruction in the duties and obligations of good citizenship, and he should be taught to revere the form of government established by our forefathers. Any attempt upon the part of an instructor or the management of any of our higher educational institutions to arouse in the minds of the student body a feeling of prejudice or hostility towards the form of government which has survived for more than a century and has been the mightiest factor known to history in advancing the cause of civilization, or to influence the boys and girls of this State to believe that our system of government is based upon fallacious principles and should, therefore, ultimately be overthrown, will receive immediate attention from the executive department, and the instructor engaged in the exploitation of such un-American ideas will receive immediate dismissal.

Modern methods of treating and caring for the insane confined in our charitable institutions, and the most approved method of sanitation in the arrangement of our hospitals will be encouraged, to the end that those whose minds are temporarily clouded may again see the sunlight of intelligence and be restored to reason, and to their friends, families and homes.

The people of this State regard the support of the Soldier's Home not as a duty which is burdensome, but as a privilege they are happy to exercise in grateful recognition of the services of their country's defenders.

I recognize the principle that penal institutions are established for the purpose of protecting society and not to punish criminals to satisfy any feeling of anger or revenge that might exist in the heart of the injured party. While the inmates of the penal institutions will receive the punishment contemplated by law, yet they should at all times be given the humane treatment man owes to his brother always and everywhere, during the period of their incarceration.

In the exercise of the pardoning power, I acknowledge and record my confidence in the integrity and justice administered by our courts. This extraordinary power ought not, in my judgment, to be exercised except in extreme cases and then only upon the assumption that the courts have pronounced a righteous judgment but that the best interests of society would be subserved by invoking and applying this constitutional prerogative.

We cannot appropriately observe the solemnities of an occasion such as this without instinctively turning back to the early chapters of our splendid history. We glean from those pages that the historic soil upon which this city now stands has been made sacred by associations and memories akin to those which cluster around the imperishable Plymouth Rock or which arise from the ruins and desolation of the unhappy Jamestown, for here was rocked the cradle of a future State; here, on September 11, 1852, a weekly newspaper published its initial number and at once dedicated its columns to the plan of dividing Oregon Territory; here it was that in the year 1852, a Fourth of July orator in the fervency of his eloquence first gave public utterance to the desire of those early pioneers for a division of Oregon Territory and for the creation of a territorial government of their own.

The children of this commonwealth, who love its history and revere the sacrifices of its pioneers, will some day, without the assistance of an appropriation bill, contribute from their individual treasuries to the building of a monument commemorating the sacrifices of those who broke the stillness of this far Northwest, laid the cornerstone of this commonwealth, ushered into existence a possible new State, and planned the addition of another star to their country's banner.

We may advert at this time to the simple story of the rise and upbuilding of American commonwealths, and contrast the splendid opportunities we now enjoy with the conditions which existed early

in the history of the territory. We have advanced since then with amazing rapidity. Our progress, however, could not have been so marked had we not been endowed by the God of Creation with a variety of resources and with an industrious, liberty-loving, God-fearing citizenship drawn from the sturdy loins of the descendants of Puritan and Cavalier, invigorated with the industrious immigrant from the crowded centers of Northern Europe who rapidly assimilated with the character of American citizenship. All concentrating in this far Northwest to force from the rugged face of Nature the golden plenty of peace and comfort, and to pursue the highest mission of mankind, that of transforming a wilderness into homes.

When the humble Nazarene walked upon earth among men, our mighty forests were planted upon the ocean side of a precipitous mountain range from which we have furnished material for the construction of homes and habitations of an empire. In the valleys and plains lying upon east slope, "the wheat locks the sunshine in the bearded sheaf," and the husbandman sends the lifeblood pulsating through the veins of a million of human bodies.

I have no foreboding of the future of this State to express; no discordant note to sound; no gloomy picture to paint of the destiny of this fair land now having just passed the half-century mark of its existence as a Territory and State. This period of our State's infancy may well be rehearsed upon occasions such as this, when friends and fellow citizens gather to witness the coming and the departure of those commissioned by the people to transact the public business.

So long as the English language is spoken, the memory of our early pioneers, led on by that intrepid and indefatigable citizen and soldier, Isaac L. Stevens, will be cherished. Splendid examples of typical American citizenship were they. Citizen and soldier upon one day; builders of commonwealths and law makers upon the next. God bless their memory! And prosper the fortunes of their successors in the noble service of improving and extending the edifice of our State government in order that it may fully protect, benefit and comfort its citizens.

GOVERNOR MEAD'S MESSAGE.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
January 11, 1905.

Gentlemen of the Senate and of the House of Representatives:

In presenting a message to you in these new and well equipped legislative apartments, I cannot but contrast in my mind's eye your surroundings with those of the first Washington legislative assembly, which gathered in that old building, still standing, hardly a stone's throw from this edifice, close on to fifty-one years ago. The contrast symbolizes and illustrates the progress of Washington in the interven-

ing period. Mentally, if not physically, it is a far cry from the insignificant and simple store room where the pioneer law makers met to this imposing capitol, and yet I trust that in the discharge of our duties we shall not lose sight of the example of sturdy patriotism and sound common sense in legislation set for us by the representatives of that pioneer people. Their problems were different problems; their issues different issues from those with which you have to deal; but now, just as in those formative days, there is a demand and a necessity that the tasks of legislation be approached in a spirit of unswerving devotion to the public weal, and that your efforts be animated solely by a desire to serve the best interests of the entire commonwealth.

Owing to the fact that but two months intervene between the election of a Chief Executive and his inauguration, it is impossible for him to study the needs of the State institutions to any greater extent than a member of this body serving his first term. The injunction of the Constitution to the effect that the Governor "shall communicate at every session to the Legislature the condition of affairs of the State, and recommend such measures as he shall deem expedient for their action," necessarily places the duty upon the retiring Executive.

The present legislative and executive departments certainly have the opportunity to add a splendid chapter to the history of this commonwealth in contributing to the welfare of its people, by bringing about the enactment of wise and wholesome laws and in the faithful performance of the duties resting upon them. We are here but for a moment, as we measure the lives of States and Republics; we are but temporarily clothed with the insignia of power and authority. I express the hope, born of the confidence the people have in your industry, ability and patriotism, that when this Legislature has finally adjourned, some deed or act will have emanated from this body that will receive the commendation of future generations and substantially contribute to the happiness of our people.

We are gathered here under favorable and auspicious circumstances. Our common country is at peace with the world; our people are enjoying a marvellous prosperity; in the Pacific Northwest we are on the threshold of a great trade with the Orient—a commerce which will increase in magnitude year by year; your convening is practically coincident with the entry into the waters of Puget Sound of one of the greatest ocean freight carriers ever constructed by ship builders of this or any other country.

Twice appointed Territorial Governor, serving in that capacity for eight years, called later by his countrymen to honor the Executive chair as the first Governor of the State of Washington when the people were entrusted with full self government, when Elisha P. Ferry was ready to join companionship with the fathers of the Republic he loved so well, he bequeathed us a heritage of faithful performance of duty which his successors in office may well strive to emulate. This Legislature and its successors who may gather here to perform the responsible and

exacting duties devolving upon law makers may well recall the wise counsel and practical suggestions made by this distinguished Chief Executive in his message to the Legislature in 1893, when he said:

"No more important duty, nor greater responsibility can devolve upon an American citizen than when he is called upon to exercise those powers and functions which appertain to him as a member of the legislative department of the Government. When the people desire relief from existing wrongs, and demand the adoption of a policy which will promote their welfare and prosperity, their appeal is made to the legislative department, and not to the executive or judicial.

"Within the few years past, consequent upon the unprecedented accumulation of wealth on this continent and the economic changes resultant from invention and enterprise, have arisen problems offering unexplored fields to the practical economist, and demanding the most profound, temperate and patriotic consideration of those upon whom rest the duty of enacting laws. Restrictions on the influence and employment of capital, remedial legislation of a character hitherto unknown in our history, affecting private interests, is demanded by many, and alleged to be imperatively necessary under existing conditions. That our State is not free from evils, which can be minimized or cured by speedy and prudent legislation, must be conceded by all who have investigated the subject; but, in my opinion, it is doubtful whether it would be a sound, wise or beneficent policy to institute the extreme radical measures advocated by many.

"The enactment of unjust or oppressive laws, or the failure to enact just the necessary measures of remedy and relief, engenders in the minds of the people feelings of discontent which may cause them to renounce that veneration and respect for law and government upon which depends the perpetuity of our institutions. When this distrust and its consequent contempt become general among the people, history teaches us that the tendency is to revolutionary and destructive methods. A fundamental principle in all legislation should be that the rights of all should be protected and the rights of none destroyed, infringed or abridged, acting in conformity with it, no Legislature can fail to acquit itself with credit and to do justice to all classes in our commonwealth."

A dual obligation rests upon each legislator to loyally serve his local constituents and at the same time protect the general interests of the entire people of the State.

APPROPRIATION BILLS.

The legislative will, in enacting appropriation bills, should not be defeated unless the aggregate amount appropriated exceeds reasonable limits. The State, like an individual, has an income. If appropriations exceed the maximum limit, the Executive veto must necessarily be exercised. Owing to the healthy prosperity existing in this State, a disposition to be extravagant may follow in writing appropriation bills. This tendency should, however, be restrained in consideration of the fact that, if the demands made by you upon the people are excessive, needed expenditures of the local subdivisions of the State will necessarily be defeated, and to that extent, school districts will be prevented from constructing additional school buildings to satisfy increased school population; school boards will be prevented from increasing salaries of teachers; counties and cities will be unable to extend roads and streets to meet the demands of public travel; cities, counties and school districts will be unable to lessen indebtedness incurred for public improvements and buildings. The conclusion, therefore, is almost irresistable

that, unless additional property heretofore released from taxation is placed upon the tax roll, the expense of the State government for the coming two years ought not to be materially increased beyond the expenses of the past two years, except the additional amount absolutely necessary for the State to keep pace with the progress and civilization of the age, and with the general material advancement of the interests of the people.

UNITED STATES SENATOR.

The law of the land, expressed by Constitution and Federal statutes, makes it the duty of this body to select one of the two United States Senators representing this commonwealth in the Senate of the United States for the ensuing term.

Many of you are called upon for the first time in your experiences as citizens of the Republic to exercise this grave duty, the most important, possibly, ever committed to your keeping. The citizen of Washington, commissioned by your voice to sit in the Senate chamber in the Congress of the United States, may be called upon before the expiration of his term to face problems of extraordinary importance to the millions constituting this country of ours. I believe that, in the execution of this duty of paramount importance, you will be actuated by the same impulses, the same high and patriotic resolves that have moved other Legislatures, at other times and under other conditions, to select eminent fellow citizens to adorn this dignified and historic chamber, and one who would faithfully and conscientiously protect and defend the interests of country and commonwealth; the same impulse and measurement of men that gave to the nation the services of Henry Clay, Daniel Webster, Stephen A. Douglas, Thomas H. Benton, William H. Seward and James G. Blaine; the same impulse that prompted the first Legislature of the State of Washington to elect that splendid citizen and patriot, John B. Allen, now contending in that higher Senate than ours that right and justice may prevail in the State he so honored and loved before he paid the debt to Nature and passed from us, will actuate you in your duty of selecting a United States Senator to represent this commonwealth for the ensuing term. When you have performed this duty and during his six years at the capital of the Nation, he should receive from you and the people he represents full measure of support and confidence, giving to his strong right arm the power and influence to battle successfully for the highest and noblest interests of the millions bearing allegiance to the flag of the Republic.

RAILWAY COMMISSION.

I recommend the enactment of a law establishing a railway and transportation commission in this State, to consist of three members, to be appointed by the Executive, to perform the duties and exercise the powers contemplated by the provisions of Section 195, Article 2 of the State Constitution, which is as follows:

"The Legislature shall pass laws establishing reasonable rates of charges for

the transportation of passengers and freight, and to correct abuses, and to prevent discrimination and extortion in the rates of freight and passenger tariffs on different railroads and other common carriers in this State, and shall enforce such laws by adequate penalties.

"A railway and transportation commission may be appointed, and its powers and duties fully defined by law."

Salaries, commensurate with the duties to be performed and ability and fidelity required of the commissioners working under such law, should be provided. Otherwise, its operation will not meet even the expectations of its most conservative advocates.

I am advised that a difference of opinion exists among eminent members of the bar in this State concerning the constitutional right of the Legislature, under the section quoted, to empower such a commission with the authority to establish maximum rates for transportation of passengers and freight, and with power to correct abuses and prevent discrimination in freight and passenger tariffs on the different railroads and other common carriers in this State. Those, challenging the right of the Legislature to delegate these powers, claim that a railway and transportation commission could perform only such duties and exercise only such powers as are not specifically reserved for legislative action. Those, interested in the passage of such a measure and the speedy settlement of any objection that may be urged thereto, will be in accord with me in hoping that you will consider this recommendation early in the session.

If a measure be adopted by this Legislature empowering such a commission with the authority to regulate freight and passenger rates and to perform such other duties specified in the constitutional provision quoted, and if such act contains an emergency clause, a test case might be submitted to the Supreme Court and, if diligntly prosecuted before that tribunal, a decision might be rendered before your final adjournment that would prescribe how far such a commission could perform its duties without encroaching upon the powers reserved in the Legislature.

The act, which may finally receive a constitutional majority at your hands, must not only conform to the mandate of the Constitution quoted, but should be so framed that its execution will be in accord with the plainest principles of justice between shipper and carrier. On November 8, 1904, the people of this country gave to the present Chief Executive of this nation an expression of their confidence and good will more pronounced than ever before extended to a Chief Magistrate by the voluntary act of a free people. It is a pleasure to quote, and equally pleasurable for you to hear and endorse in this connection, the sentiment expressed in an extract from the message of President Roosevelt to Congress, given in December, 1901, concerning the amendment of the present Interstate Commerce Act. I quote as follows:

"The railway is a public servant. Its rates should be just to and open to all shippers alike. The Government should see to it that within its jurisdiction this is so, and should provide a speedy, inexpensive and effective remedy to that end. At the same time, it must not be forgotten that our railroads are the

arteries through which the commercial lifeblood of the nation flows. Nothing could be more foolish than the enactment of legislation which would unnecessarily interfere with the development and operation of these commercial agencies."

CONSERVATIVE LEGISLATION.

I recognize the fact that in the performance of the duties of a legislator, well meaning friends will urge you to introduce for consideration proposed laws, the enactment of which would be unwise, inopportune and in every way injudicious and inexpedient.

I also recognize that the legislator serves his people best who has the courage to oppose a great portion of the measures introduced. We often hear the complaint from many States as well as our own that the statute books are crowded with incomplete, unsatisfactory statutory provisions. Our laws cannot, in the nature of things, be made perfect, adequate or complete, but if they are sufficient, in a substantial way, for the relief of the people and have received judicial interpretation, we would be following the path of wisdom to let well enough alone.

I would most respectfully urge upon you the necessity of having your bills carefully drawn by competent counsel or advisors with the purpose in view of avoiding constitutional objections and thereby saving the State the confusion and expense of acting for a time under a law of doubtful validity.

I desire also to call your attention to the necessity of having your bills correctly enrolled. An examination of the decisions of our Supreme Court will satisfy you that great confusion has resulted, and rights have been jeopardized, on account of the hasty enrollment of bills during the closing days of the session. I would, therefore, impress upon you the necessity of selecting competent and trustworthy clerks for the performance of this duty, and especially urge upon the committee having charge of this work the necessity of care in the comparison of the enrolled bill with the original or engrossed bill, so it will correctly represent the legislative will.

You will be urged in many instances to invoke the provision of the Constitution requiring an emergency clause to be attached so that the bill may become a law at once. I hope you will withstand these requests so that the provision of the Constitution will be fairly complied with, as it is a matter of common knowledge that the interests of the people are best subserved by the delay of the ninety days intervening between the adjournment of the Legislature and the date on which the acts take effect, thus permitting the people to adjust themselves to the new conditions.

I trust you will confine yourselves to the strengthening of the laws we now have, only extending your field of legislative endeavor to those matters which have been generally discussed among the people, or which have heretofore received attention of the Legislature or commissions appointed by the Executive. Under all circumstances, I believe that the conservative tendency of this Legislature will be to see to it that this young child of the Northwest is not handicapped by any unwise

or radical legislation that will retard its growth, or that will return to plague us.

SUBMIT BILLS TO SUPREME COURT.

I am heartily in favor of the system followed in some of our sister States whereby the Legislature, by two-thirds vote, may submit any bill under consideration by that body to the judgment of the Supreme Court, and under the law it is made the duty of the Supreme Court to at once determine its validity and so report to the Legislature. I, therefore, earnestly recommend the enactment of such a statute, or amendment of our Constitution to permit such a practice, if constitutional amendment be necessary.

On account of the absence of any such provision by statute or Constitution of our sister State of Oregon, when a revenue law recently enacted by the Legislature of that State was declared unconstitutional, the Executive was compelled to call an extraordinary session of the Legislature in order to raise funds so that the State government and its various subdivisions could continue in existence. An amendment or practice such as I suggest might in the future save this State the expense of a special session of the Legislature.

The greatest good, in my judgment, which would result from such a requirement would be the fact that, when the Legislature and the Supreme Court have pronounced upon the enactment and validity of a statute, the people and public officers have definite assurance that the law is stable and binding, and can proceed accordingly.

SUPREME COURT.

In order to dispose of the constantly accumulating causes before the Supreme Court, I urgently recommend the enactment of an act, at the earliest possible time, providing for an increase of the membership of that tribunal from five to seven members, and that such increase be permanent. In my judgment, large property interests are necessarily endangered if not injured by reason of the delay in adjudicating legal matters pending before the Supreme Court. The increase of the bench would facilitate the early disposition of criminal cases, and would warrant such cases receiving a preferred place upon the calendar early in the sessions of the court.

Justice Brewer of the Supreme Court of the United States, recently expressed the sentiment that, "Justice delayed is often justice denied." Delay in the trial of criminal cases and postponement of execution of sentence not only impairs the administration of justice, but destroys the deterring influence which ought to follow the prompt and summary enforcement of the criminal statutes.

CRIMINAL CODE AMENDMENT.

I would, therefore, suggest amendment of the statute to require that judgment in criminal cases be entered immediately after the verdict of guilty is returned; that the time be limited in which the person

convicted may apply for a new trial; that if his application for a new trial is overruled, the judgment of the Court be immediately executed, unless notice of appeal is given; that immediately after the trial and conviction of a person charged with infraction of the criminal statute, and the denial of a motion for a new trial, the court stenographer prepare a transcript of the testimony, serve a copy upon the defendant or his attorney, and that when the testimony is authenticated by the trial judge it be filed with the clerk of the Supreme Court.

PREFERENCE TO CRIMINAL CAUSES.

I recommend, also, amendments requiring that the Supreme Court shall give preference to criminal causes in its assignment of cases pending before the court; that, if necessary, civil cases give way for the immediate hearing of criminal cases, when transcript and briefs are on file; that the time be lessened for the filing of briefs, and that no extension be permitted by stipulation or order of the Superior Court, and only granted by order of the Supreme Court.

DIVORCE REFORM.

Our courts are often subjected to criticism, but in many instances unjustly, on account of the large number of decrees granted in divorce cases. The fault, in my judgment, is not with the courts but with the law regulating the divorce system. The courts are bound to respect the law even if its administration results in the dissolution of the marriage contract in multitudinous cases.

Rather than inaugurate a radical change in the divorce system I would recommend that certain provisions be strengthened and given force and vigor by judicious amendments.

A statute, continued from territorial days, requires the presence of the county attorney to resist default divorce cases. In the case of *bona fide* resistance this official is handicapped and his services are minimized as no authority or method is prescribed by which he can compel the attendance of witnesses to testify in behalf of the absent defendant. His service, therefore, at the trial is limited to the one duty of cross examining the applicant and his witnesses. It is the intention of the Legislature to require the county attorney to resist undefended divorce cases in the manner that a public official would represent the best interests of society, he should be given the opportunity of conducting an intelligent defense by subpoenaing witnesses who can testify to the facts in the case. To bring this about the plaintiff should be required to deposit such an amount as the court may direct for the payment of witness fees.

The law should be further amended so as to permit the court to enter an order requiring the attendance of the plaintiff and the defendant at the trial, if both parties are within the jurisdiction of the court.

The law defining the rule of evidence concerning the admissibility of testimony of the husband or the wife should be so modified as to permit

successful criminal prosecution to follow a trial in a divorce case in the event that, from the testimony submitted, the court or the prosecuting attorney is satisfied that one or the other of the parties has been guily of a misdemanor or felony.

The marriage relation is a solemn and sacred contract. As the family is the unit of society and the State, if the institution is destroyed or impaired, to that extent our highest standard of civilization suffers.

Fewer applicants for divorce decrees would appear in our courts if this body enacted a law making it a felony or misdemanor for a parent to desert his child, or for a husband to voluntarily desert and abandon his wife, unless some reasonable ground exists therefor. The one hundred and fifty or more children committed to the State Reform School are there largely by reason of the domestic difficulties of their parents, who no longer continue the marriage relation or who have been separated by decree of divorce and one or the other remarried.

With these amendments and an additional one, requiring the court to enter a *decree nisi* at the time of the trial and a complete decree of divorce to follow at the expiration of a period of not less than six months from the date of trial so as to prevent absolutely either party from remarrying with a third person within such period after a decree of divorce is granted, I am of the opinion that fewer decrees of divorce will be granted in our State, and you will have performed an inestimable service in protecting the integrity of the marriage relation, and in reducing the number of children suffering from lack of parental care and attention, and in improving generally the welfare of society.

COURT STENOGRAPHERS.

The general demand in the superior courts of this State for the services of court reporters has in practice made them essential adjuncts of the trial courts. The court reporters should be given an official status, and provision made regulating their fees and salaries. Their compensation, however, should be derived from the counties they serve, collected in part from fees paid by the litigants. Under no circumstances, should this expense be borne by the State.

The rules of evidence should be so modified as to permit the stenographer to testify as a witness from his stenographic report concerning the declarations of witnesses reported by him, subject to the right of the opposing party to rebut such evidence.

JUVENILE COURTS.

One of the grave social problems that presents itself in every large center of population concerns dealing with juvenile offenders against the law. Several of our sister States have adopted the plan of creating juvenile courts, a plan which has been commended highly by students of the subject. I am of the opinion that the creation of such courts in cities of the first class in the State, would be benficial to the commonwealth, and would tend to elevate our future citizenship.

PROBATE LAWS.

The bar and people generally of the State will welcome a readjustment of our probate laws. The present system lacks harmony and simplicity. I recommend a revision of the entire procedure so that the law governing the administration of estates will reduce the expense of settlement of the estate, and lessen the time for the distribution of the property to the beneficiaries.

Superior Judges, sitting in probate cases, should have jurisdiction to settle and adjudicate all matters connected in any way with the estate.

RECOMMENDED LEGISLATION.

The enactment of a law preventing the acquisition and indefinite holding of large tracts of State timber lands to the exclusion and prejudice of small mill owners and consumers; the passage of an anti-pass bill in compliance with the provisions of our State Constitution; the enactment of legislation for the protection of the interests of our laboring classes along the lines urged by the State Federation of Labor; the repeal of the present road law; the enactment of such laws as may be necessary to secure the completion of irrigation projects in Eastern Washington by the United States Government; and the enactment of a law providing for a commission with power to determine, for the purposes of assessment and taxation, the value of all corporate property, both real and personal, to the end that the burden of the government may be borne without prejudice, fear or inequality, are provisions of the platform adopted by the Republican party of this State, in convention assembled in the City of Tacoma, on May 11, 1904, which nominated for office the persons now constituting the executive department of this State.

The verdict of the people rendered at the November polls indicated in no uncertain way that a majority of the people favor the enactment of these platform utterances into laws. Giving expression, therefore, to the will of the people, I recommend early consideration of each and all of these promises and pledges so that the accumulation and congestion of business upon the respective calendars of each branch of the Legislature will not militate against the passage of those measures which constitute a part of the political faith of the dominant party of this State.

TAX COMMISSION.

Many demands will be made upon you during the session for the enactment of measures which will tend to materially increase the State appropriations for the ensuing two years. Those so interested in increased appropriation will not perhaps manifest the same zeal in promoting legislation by which the exchequer of the State may be replenished and increased appropriations met.

I would, therefore, suggest that, preliminary to the adoption of a final decision upon your part to appropriate money from the treasury for purposes other than the usual and necessary running expenses of the

State government, you take up for consideration proposed legislation suggested by that plank of the Republican State platform favoring the creation of a State tax commission.

REVENUE AND TAXATION.

In your deliberations it would be well to bear in mind that equally important with the duty of appropriating public moneys is the task of providing the State revenue, though in the one you are apt to receive far more outside aid and counsel than in the other. I look forward hopefully to that day when it will no longer be necessary to levy direct taxes for the support of the State government, and I believe that, with the equal and just taxation of all property, contemplated by the constitution, that day is not far distant. We already receive a revenue from fees and licenses, which properly should be larger than it is. For instance, I am convinced that the present law is lame in the collection of annual license fees from corporations, and that incorporation fees paid to the office of the secretary of state might legitimately be increased. An intelligent tax commission, the creation of which I recommend to you in another portion of this message, has a broad field of labor in determining what tax shall be borne by those valuable but intangible forms of property, hitherto untaxed, in the class with franchises. In the meantime, I see no impropriety in this Legislature proceeding to levy a tax on the gross earnings of express companies, street car companies and sleeping car companies doing business in this State, to the end that those holdings contribute their proportion to the maintenance of the State government. Following out this plan, we should attain that position now occupied by some of the older States where direct taxes are paid only for the support of municipal and county governments. Such a system would abolish the unseemly scramble among the assessors of the different counties to lessen valuations of real and personal property so that each particular assessor's county may not pay more than its proportionate share of State taxation. At the same time, it would make for that equal and just taxation of all property, which is never burdensome.

DELINQUENT REVENUES.

The neglect, which amounts to refusal, on the part of a number of incorporated cities and towns to pay to the State the portion of municipal liquor license fees exacted by the State law, works a serious depletion of the State's legitimate revenues. I learn from the office of the state treasurer that these delinquencies are estimated at from $60,000 to $100,000, although, under the present system, the only way to obtain the accurate figures is by checking up the books of the separate municipalities, a work which has not been provided for in any State appropriation. I recommend to you such legislation as you may deem proper to bring about the collection of these delinquencies, and to prevent further withholding of State funds by municipalities. This latter result might readily be achieved by requiring that all liquor

licenses bear the signature and seal of the state treasurer, which signature and seal would be affixed only after the State had received its percentage of the license fee. Another means of attaining the same end would be to make it a misdemeanor on the part of municipal officers to fail to turn over promptly to the State Treasurer the State's proportion of the fee.

Investigation shows that the State is not deriving the revenue it should from the inheritance tax law, many county and judicial officers failing to inform the state treasurer when estates, on which the tax should be collected, come into court.

I recommend the amendment of the inheritance tax law to compel the proper officers to make reports to the state treasurer.

STATE INSPECTION OF BANKS.

Statutory and constitutional provisions concerning criminal and civil liability of bank officials should be supplemented by legislation so that deposits in the different banks of the State will be safely guarded by the custodians, and paid on demand.

With the purpose in view of protecting bank deposits, a system of State inspection of State, foreign and private banks should be provided to the end that every depositor can rely upon the integrity and honesty of every banking institution subject to regulation by the State, holding itself out as a bank and inviting deposits.

The late Governor John R. Rogers mentioned the subject in his message to the Legislature of 1899, and in part said:

"The State is able to and certainly should throw around such institutions the safeguards now existing with relation to national banks. The business of banking is eminently a public one, depending for its success upon the use of deposits made by the public. The people who do business with the banker, and the general public, thus acquire a right to know the state of affairs prevailing in the institutions upon which business in the several communities is made largely to depend. Honest and prosperous bankers will welcome examinations at frequent intervals, which will give them opportunity to advertise their standing and increase their business, while dishonest and unsuccessful ones should be weeded out, to the great advantage of communities infested by them."

Governor John H. McGraw in his message of 1895, said:

"The Legislature should address itself resolutely to the enactment of such a law as will render the word 'bank' when inscribed on a public depository a positive synonym of security."

IRRIGATION CODE.

I would commend to your earnest and careful consideration the report, which will be presented to you, of the irrigation commission appointed by my predecessor, Governor McBride, to investigate the subject of irrigation and recommend such changes in our system of irrigation as might be deemed for the best interests of the State.

The remarkable progress in recent years in the science of irrigation and the almost miraculous results we have seen in this State following the application of water to hitherto barren and unproductive lands, bring us to a realization that in our vast arid and semi-arid lands of

Eastern Washington we have an asset of immense potential value. Under wise and benign enactments by the Congress of the United States the general government now stands ready, under certain conditions, to reclaim for our people and for our prospective population portions of those lands, making them productive and providing homes and means of livelihood for thousands. But, as a condition precedent to applying the benefits of the National reclamation act in this State, the general government requires that our State laws on the subject of water ownership in non-humid regions be not incompatible with the theory of water ownership as set forth in the reclamation law. That theory is succinctly worded in the President's declaration that "in irrigation this right (the right of water) should attach to the land reclaimed and be inseparable therefrom."

To bring about harmony between our State laws and the Federal enactment, is the problem before you, if we are to receive any benefit from the general government. The irrigation commission, with the aid of various distinguished gentlemen learned in irrigation law, has prepared a code which will be submitted to you for your consideration. I urge upon you the necessity of devoting much of your time to the subject for, as the President has stated, in it you are "dealing with a new and momentous question, in the pregnant years while institutions are forming," and what you do will affect not only the present but future generations.

HARBOR IMPROVEMENTS.

Development and improvement of the harbors of the State is a subject which I commend to your attention as one well within the province of the legislative branch of the State government. Experience has demonstrated that those harbors, where the interchange of traffic between land and water conveyances is best facilitated, enjoy the largest measure of prosperity. While we seek Federal appropriations for harbor work, we cannot consistently discourage the State from acting in harmony with the general government in those labors. It is just that the whole State should contribute thereto, since the benefits are to be shared by the inland producers and shippers quite as much as by the seacoast merchants and manufacturers.

I am of the opinion that a board or commission should be authorized, made up of representative citizens, to serve without remuneration except for necessary expenses, to suggest a plan to a succeeding Legislature for legislative action in the interests of harbor improvements.

ROAD LEGISLATION.

No duty of greater importance will engage the attention of this body than the consideration of road legislation. Improved highways constructed for permanent service increase the value of every acre of land near such road. We have demonstrated that the nearer land is to market, church and school, the greater its value and the more profitable is its product.

The platforms of the two great political parties call for the repeal of the present road law. However, I am not convinced that the people of this State desire to return to the old road supervisor system of constructing and improving county highways. All must recognize that we have entered upon an era of scientific road building and have reached a period when the services of practical road makers should be utilized in the construction and improvement of our county highways. We have relegated to the past the system which permitted road supervisors or county commissioners to experiment with the people's money in building a system of roads not in accordance with practical or scientific methods.

TOWNSHIP ORGANIZATION.

An act providing for township organization, approved March 23, 1895, conflicting in its provisions, lacking in the element of simplicity, of doubtful constitutional validity, has been a source of more or less controversy in the different counties of the State, but has not yet been adopted by the voters where it has been submitted to the people. It being the policy of the Legislature to strengthen the present system of administration of affairs by boards of county commissioners, I therefore, recommend that the interests of the State generally would be best subserved by the unconditional repeal of the township organization act.

FISHERIES.

You will be called upon during this session to consider and legislate upon the subject of the fisheries of this commonwealth. The output of the fishing industry in times past has added immeasurably to the productive wealth of this State. The industry involved in catching and preparing salmon as a commercial food product has furnished employment to a large number of our people, and is an industry of which we may well be proud. If any policy of the State will save this industry to the people, or will insure its perpetuation to future generations, or will materially increase the propagation of fish having the greatest commercial value, such action should be speedily taken as its postponement will result in the permanent impairment of one of the greatest industries of the State. We can well afford to use every means within legislative power to promote the industry and to increase the supply of salmon inhabiting the waters of Puget Sound and the Columbia river.

The fishing interests of the State, however, are not alone interested in the preservation of this industry, but it is a matter of vital importance to the people of the entire State.

MINES AND MINING.

The mining interests of this State will in time become an important factor as a wealth producing, labor employing industry. The "wildcat mining" industry, however, should be exterminated, as it has retarded legitimate mining investments and detracted from our good name and fame as a mining State.

LUMBER AND SHINGLES.

The lumber and shingle industry is one of the most important interests in the State, giving support, as it does, to a very large percentage of our citizens, and consequently it is entitled to such protection and encouragement as may properly be within the province of legislation. It is a matter of common knowledge that the industry at present has not that prosperity which is considered normal.

I recommend that you consider carefully the proposed legislation that will be presented to you on the subject, to the end that you may enact laws that, while equitable and just, will tend to restore prosperous conditions to the industry.

NATIONAL GUARD.

Official and unofficial statements by high officers of the United States army, reports of the joint maneuvers which occurred last summer at American Lake, and the testimony of well informed citizens have made it clear to me that in the National Guard of Washington, as at present constituted, we have an intelligent, effective and patriotic body of citizen soldiery of remarkable military efficiency. I believe that condition is due, in no small degree, to the fact that the military laws of the State are wise and just, and their administration in the hands of officers whose superior rank has been attained solely through efficiency rather than through political favor. I advocate the continuance of the system which has brought such gratifying results. The theory of the militia laws in this State differs from that in some States in this that the National Guard of Washington is organized not only as an arm for the State's defense, but primarily to fit the rank and file for immediate service as Federal volunteers at the call of the President, and this theory is one to which I am glad to give my endorsement. To maintain our National Guard at its present high standard I urge upon you the necessity of appropriating public funds with a liberality commensurate with the State revenues.

TUBERCULOSIS.

Our State is entitled to special prominence when compared with any other State in the Union, as a country possessing a health giving climate. Its abundance of fresh water for domestic use, its bracing air, untainted by the poison of malaria, are great factors in lessening the progress of disease. It does not, however, possess the temperature and other conditions needed by those seeking relief from pulmonary troubles that may be found in southern climes. It is estimated by a writer in one of our current magazines that of the 75,000,000 living Americans, 8,000,000 must inevitably die from pulmonary tuberculosis. Necessarily we must share in the terrible levy made annually upon the lives of the people. Can we afford to be dilatory in aligning our State with the progressive States of the Union in declaring war upon this great white plague which is in fact the scourge of the world? I ask you,

therefore, to strengthen the powers of our local and State boards of health, arming them with weapons to give battle to this arch enemy of mankind.

Let me fortify this recommendation with an extract from the fifth biennial report of our State board of health, which is as follows:

"Tuberculosis in this State, as in all other States, is the cause of more deaths than any one other disease. It is settled beyond doubt that it is a communicable diesase and one which, with reasonable precautions can be avoided, and, in a large measure, prevented. Notwithstanding these facts, little or no precaution towards prevention is taken by the people generally, though boards of health and physicians have for years been endeavoring to educate the public to the dangers and how to avoid them."

LEWIS & CLARK EXPOSITION.

In order that the State of Washington may be properly represented at the Lewis & Clark Exposition to be held in the City of Portland, Oregon, June 1, 1905, this Legislature ought to take up early in its session the question of what amount shall be appropriated for that purpose, how the sum shall be expended, and in what manner this State shall be represented at the exposition. In consideration of the enterprise exhibited by our sister State of Oregon and the City of Portland, its metropolis, and in view of the possible resulting benefit to our own State, I would recommend that this Legislature make a liberal appropriation and do so at once in order that the work contemplated by the appropriation may be entered upon, as but little time remains in which to make adequate preparation for an exhibit.

STATE INSTITUTIONS.

I trust that many of you have already visited many of the State institutions, and that you will during this session, under the command of the branch of the Legislature of which you are a member, fairly inspect and investigate the management of the various educational, penal and charitable institutions. I know that if you do you will feel a pride in the spirit which prompted your predecessors when they enacted the law providing for the establishment of our educational and charitable institutions, as well as the Soldier's Home at Orting.

I urge upon you the necessity of making a liberal appropriation for the maintenance of this institution, believing that you will provide a generous amount to supplement the aid received from the general government for the maintenance of this Home.

I also urge your favorable consideration of the recommendations made by those having the active management of the institution in hand, so that the remaining years of the lives of the survivors of the Union army and navy, who have accepted privilege of the institution, may be filled with peace, quiet and comfort.

THE LEGISLATIVE LOBBY.

Unfortunately for the cause of good government, legislative sessions are generally attended by a class of political cormorants, who endeavor to usurp the powers of accredited members. By the exercise of skillful

legerdemain and a finesse known to the experienced lobbyist, they frequently succeed in defeating the enactment of wise and beneficial laws. They at times challenge the ability and power of the people's representatives to act as a self governing parliamentary body, and too often wield greater power than the body itself.

You are the sole custodians of your prerogatives, solely responsible to the people for the record you make. These enemies of civic righteousness and good government, bearing no commission from the people, no letters of marque to engage in political privateering, acting under no oath of office, worshipping only the god Mammon, cherishing no high ideals, will haunt the corridors of this capitol building from now until adjournment. They dare not fight in the open for they realize that, like the fatal basalisk, "whose breath was poison and whose look was death," their active, open espousal of any cause would damn it.

Allow me to quote the denunciation of this class of legislative lobbyists by Governor Cummings in his message to the Iowa Legislature of 1902:

"The professional lobbyist has, I regret to say, become one of the features of legislative assemblies. Do not understand me to suggest that the halls of legislation should be inaccessible to either the individual or the corporation. The lobbyist, however, who is for anything or against anything for hire, whose mission is to promote one measure or defeat another, who haunts the chambers of legislation and taints its atmosphere with his corrupt designs, who sends for members for interviews in the cloakroom, who carries a tally sheet and watches the roll call, who shadows the members at their homes and hotels, injecting at all hours and all places his poison into the public service, is a criminal whose approach is an insult, and to whom the doors of the Capitol should never swing inward."

In conclusion, I trust that your deliberations will be characterized by that spirit of fairness and justice that is an attribute of statesmanship, and that the business of the State in your hands will be transacted with harmony and expedition.

On motion of Senator Hammer, joint session was dissolved at 3:30 p. m.

Senate was called to order at 3:30 p. m. by President Smith, who introduced Lieutenant Governor Charles E. Coon, as president of the Senate.

Lieutenant Governor Coon took the chair and addressed the Senate as follows:

GENTLEMEN OF THE SENATE: In assuming the chair as your presiding officer, I thank you for your cordial greeting, and desire to assure you that I shall endeavor to act with fairness towards each and every Senator in conducting the business of the Senate. I hope for the same hearty support which was given my distinguished predecessor, for, without that my efforts would be of no avail.

To the majority I would say, that with practically a unanimous representation in this chamber of the dominant party in the State,

your responsibilities are very great. But your opportunity for the achievement of lasting fame is also great. Questions of vital importance to the people are to come before you, and it cannot be doubted that these will receive the most careful examination, and that the result of your deliberate conclusions will prove of permanent value to our great and rapidly growing commonwealth.

The following concurrent resolution No. 7, introduced by Senator Kinnear, was adopted:

WHEREAS, An all wise Providence has removed from our midst the Hon. Thomas J. Humes, and

WHEREAS, The citizens of King county having elected him successively member of the Legislature, judge of the superior court, and mayor of the city of Seattle, and the citizens of this State on numerous occasions having recognized and honored him, thereby showing their appreciation of his services of the commonwealth he loved so well, therefore be it

Resolved by the Senate, the House concurring, That in his death the State has lost an able, upright and incorruptible official, and be it further

Resolved, That as evidence of the esteem in which Judge Humes was held by the people of this State a committee of two members of the Senate and three members of the House of Representatives be appointed to attend the funeral of the late Judge Humes to be held in Seattle on Friday, January 13, 1905, and that this resolution be spread on the minutes of both Houses and an enrolled copy of the same be sent to the bereaved widow.

J. C. Burns and Than. Kelly were sworn in as employes of the Senate by the president.

On motion of Senator Baker, Senate adjourned until 2 o'clock p. m., January 12, 1905.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

FOURTH DAY.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 12, 1905
2 o'clock p. m.

The Senate was called to order at 2 o'clock p. m., by President Coon, pursuant to adjournment.

Rev. F. K. Howard offered prayer.

The secretary called the roll; all members being present except Senators Hemrich and Moore, and Senators Kinnear and Van de Vanter, excused.

The journal of yesterday was read and approved.

The secretary read the following communication from the mayor of the city of Seattle:

THE CITY OF SEATTLE, EXECUTIVE DEPARTMENT,
January 11, 1905.

Hon. Chas. E. Coon, Lieutenant Governor and President of the Senate, Olympia, Wash.

DEAR SIR: The City of Seattle hereby extends to you, and to the members of the State Senate, a cordial invitation to visit our city and the steamship Minnesota, now lying in this port, as the guests of the city, on Saturday next.

I wired you today the substance of the foregoing invitation in order that the Senate might have ample notice of this invitation.

I trust it will be convenient for you and all of the members of the Senate to be present on that occasion.

I have the honor to be,

Yours very respectfully,

R. A. BALLINGER,
Mayor of the City of Seattle.

On motion of Senator Davis the invitation was accepted.

A motion by Senator Tucker that a committee of two be appointed to arrange the details for the visit of the Senate to the city of Seattle on Saturday, January 14th, 1905, was carried.

Senate joint memorial No. 1, by Senator Rands, memorializing Congress, relating to the early completion of canal and locks in the Columbia river from The Dalles to Celilo.

The memorial was read the first time, and on motion of Senator Rands the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials, when appointed.

Senate joint memorial No. 2, by Senator Stansell, memorializing Congress, relating to the opening of the south half of the Colville Indian Reservation, etc.

The memorial was read the first time, and on motion of Senator Stansell the rules were suspended, the memorial was read the second time by title, orderd printed and referred to the Committee on Memorials, when appointed.

Senate joint memorial No. 3, by Senator Stansell, memorializing Congress, relating to the improvement of the Pend d'Oreille river, etc.

The memorial was read the first time, and on motion of Senator Stansell the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials, when appointed.

Senate joint memorial No. 4, by Senator Stansell, memorializing Congress, relating to the irrigation of certain lands along the east bank of the Columbia river in Stevens county, etc.

The memorial was read the first time, and on motion of Senator Stansell the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials, when appointed.

Senate joint memorial No. 5, by Senator Stansell, memorializing Congress, relating to the improving of the Columbia river between Wenatchee and Kettle Falls, etc.

The memorial was read the first time, and on motion of Senator Stansell the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials, when appointed.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 12, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 25, providing an appropriation

of $80,000 for expenses of the Ninth Legislative session, and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

House concurrent resolution No. 1 was, on motion of Senator Tucker, referred to Committee on Printing, when appointed.

As a committee to attend the funeral of Judge Humes the president appointed Senators Kinnear and Davis.

The president appointed Senators Tucker and Davis a committee to have in charge the arrangements for the visit to Seattle on Saturday, January 14, 1905.

On motion of Senator Clapp that the Committee on Rules and Joint Rules, of which the president is ex-officio chairman, be named, the president named the following as additional members of such committee: Senators Baker, Smith, Clapp and Davis.

On motion of Senator Rands, A. H. Harris was elected a committee clerk of the Senate by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—38.

Those absent or not voting were: Senators Hemrich, Kinnear, Moore, Van de Vanter—4.

REPORT ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 12, 1905.

MR. PRESIDENT:

The secretary respectfully reports that Senate bill No. 25, entitled "An act making an appropriation for the Ninth Legislative session," has been compared with the engrossed bill and found to be correctly enrolled.

Respectfully submitted,

J. W. LYSONS, Secretary.

Senate bill No. 25 was signed by the president.

INTRODUCTION OF BILLS.

Senate bill No. 26, by Senator Hutson: An act to amend the laws relating to liens for labor and material, etc.

The bill was read the first time, and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title, order printed and referred to the Committee on Labor and Labor Statistics, when appointed.

Senate bill No. 27, by Senator Veness: An act to amend the laws relating to the disposition of State granted, school and tide lands, etc.

The bill was read the first time, and on motion of Senator Veness the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State, Granted, School and Tide Lands, when appointed.

Senate bill No. 28, by Senator Henry: An act making an appropriation for the Lewis and Clark Centennial Exposition at Portland, Oregon, in 1905, etc.

The bill was read the first time, and on motion of Senator Henry the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations, when appointed.

Senate bill No. 29, by Senator Henry: An act amending sections two, three, six, seven and repealing section eleven of the act of the Legislature of the State of Washington, approved March 21, 1903, entitled, etc.

The bill was read the first time, and on motion of Senator Henry the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations, when appointed.

Senate bill No. 30, by Senator Henry: An act to regulate the practice of dentistry in the State of Washington and to provide for the penalty for the violation of the provisions thereof, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Henry the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry and Hygiene, when appointed.

Senate bill No. 31, by Senator Rands: An act providing for the use of testimony given in a former trial.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary, when appointed.

Senate bill No. 32, by Senator Welsh: An act in relation to damages for death caused by neglect.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Manufactures, when appointed.

Senate bill No. 33, by Senator Reed: An act relating to riparian rights.

The bill was read the first time, and on motion of Senator Reed the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Irrigation and Arid Lands, when appointed.

Senate bill No. 34, by Senator Russell: An act to amend section 6623 of Ballinger's Annotated Codes and Statutes.

The bill was read the first time, and on motion of Senator Russell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary, when appointed.

Senate bill No. 35, by Senator Clapp: An act to amend section 155 of Ballinger's Annotated Codes.

The bill was read the first time, and on motion of Senator Clapp the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Banks and Banking, when appointed.

Senate bill No. 36, by Senator Christian: An act relating to the capital stock of corporations.

The bill was read the first and second times and referred to the Committee on Judiciary, when appointed.

Senate bill No. 37, by Senator Smith (S. T.): An act providing for a state wagon road.

The bill was read the first and second times and referred to the Committee on Roads and Bridges, when appointed.

On motion of Senator Stewart the Senate adjourned until 10 o'clock a. m. January 13, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTH DAY.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 13, 1905
10 o'clock a. m.

MORNING SESSION.

Senate was called to order at 10 o'clock a. m. by President Coon.

Rev. R. M. Hayes offered prayer.

The secretary called the roll, all members being present except Senator Davis and Senator Kinnear, excused.

The journal of yesterday was read and approved.

Senator Tucker of the committee on arrangements for the visit to Seattle on Saturday, January 14, 1905, reported that a special train would be at the disposal of the members of the Legislature, leaving Olympia for Seattle at 8:30 o'clock a. m. Saturday.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 13, 1905.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 7, in relation to the death of the late Hon. Thos. J. Humes, and the speaker has appointed the following members as a committee from the House to

attend the funeral, viz.: Robert F. Booth, King; S. A. Crandall, Pierce; W. D. Scott, Spokane.

The House has concurred in Senate resolution No. 6, relative to the late John R. Rogers.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Boone the following resolution was adopted:

Resolved, That the sergeant-at-arms be required to furnish each member of the Senate with the House and Senate journals and the Session Laws of 1903.

The following resolution was adopted on motion of Senator Welsh:

Resolved, That the bill clerk of the Senate be instructed to furnish three copies of all printed Senate bills to the attorney general.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., January 13, 1905.

TO THE SENATE:

Your Committee on Rules and Joint Rules respectfully submits the following report and recommends its adoption.

Respectfully,

CHARLES E. COON, Chairman.

Concurred in by: C. F. Clapp, J. J. Smith, Geo. H. Baker, L. Davis.

RULES OF THE SENATE.

SESSION OF 1905.

RULE 1. The president shall call the Senate to order each day of sitting at 10 o'clock a. m., unless the Senate shall have adjourned to some other hour.

RULE 2. A majority of all members elected to the Senate shall be necessary to constitute a quorum to do business: *Provided*, That less than a quorum may adjourn from day to day until a quorum can be had.

RULE 3. The president shall take the chair and call the Senate to order precisely at the hour appointed for meeting, and, if a quorum be present, shall cause the journal of the preceding day to be read. He shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber, shall order the sergeant-at-arms

to suppress the same, and may order the arrest of any person creating any disturbance within the Senate chamber. He may speak to points of order in preference to members, arising from his seat for that purpose, and shall decide all questions of order without debate, subject to an appeal to the Senate by any three members, on which appeal no member shall speak more than once without leave of the Senate. He shall have charge of and see that all officers, attaches and clerks perform their respective duties, and shall, in open session, sign all acts, addresses and joint resolutions. He shall sign all writs, warrants and subpoenas issued by order of the Senate; all of which shall be attested by the secretary. He shall have general control of the Senate chamber and lobby, and have the right to name any senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any document requiring the signature of the president.

RULE 4. Upon the organization of the Senate the members shall select one of their number as president *pro tem.* who shall have all the power and authority, and who shall discharge all the duties of the president during his absence or inability to discharge the duties of his office.

RULE 5. The subordinate officers of the Senate shall perform such duties as usually pertain to their respective positions in legislative bodies, under the direction of the president, and such other duties as the Senate may impose upon them. The compensation of any employe of the Senate shall not be increased except by a two-thirds vote of all members of the Senate, and the names of all members voting thereon shall be entered in the journal. Under no circumstances shall the compensation of an employe be increased for past services.

RULE 6. The president shall appoint all special, joint, and the following standing committees on the part of the Senate:

Committee. *Committee.*	*No. of* *No. of* *Members.* *Members.*
1. Agriculture	7
2. Appropriations	11
3. Banks and Banking	7
4. Cities of the First Class	7
5. Claims and Auditing	5
6 Commerce	3
7. Constitution and Constitutional Revision	7
8. Corporations other than Municipal	9
9. Counties and County Boundaries	7
10. Dairy and Live Stock	5
11. Dykes, Drains and Drainage	3
12. Education	7
13. Educational Institutions	7
14. Elections and Privileges	5
15. Engrossed Bills	5
16. Enrolled Bills	5

17.	Fisheries	9
18.	Harbor and Harbor Lines	5
19.	Horticulture and Forestry	5
20.	Irrigation and Arid Lands	7
21.	Judiciary	11
22.	Labor and Labor Statistics	7
23.	Manufactures	5
24.	Medicine, Dentistry, Surgery and Hygiene	3
25.	Memorials	3
26.	Military	7
27.	Mines and Mining	9
28.	Miscellaneous	5
29.	Municipal Corporations	9
30.	Printing	7
31.	Public Buildings and Grounds	7
32.	Public Morals	7
33.	Public Revenue and Taxation	11
34.	Roads and Bridges	9
35.	Rules and Joint Rules	5
36.	Salaries and Mileage	5
37.	State Granted, School and Tide Lands	9
38.	State Library	3
39.	State Penal and Reformatory Institutions	7
40.	State Charitable Institutions	7
41.	State Employes other than Regular	5
42.	Railroads and Transportation	11

STANDING COMMITTEES FOR THE SESSION ONLY.

43.	Congressional Districts	7

RULE 7. When a motion is made to refer to any subject, and different committees are proposed, the question shall be taken in the following order:

First. The Committee of the Whole Senate.

Second. A Standing Committee.

Third. A Select Committee.

RULE 8. The several committees shall fully consider all measures referred to them, and the Committee on Claims and Auditing shall carefully consider all items of expenditure ordered or contracted on the part of the Senate or any of its employes, and report upon the same prior to the voucher being signed by the president and secretary of the Senate authorizing the payment thereof.

The committees shall acquaint themselves with the interests of the State specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the State.

The Committee on Rules and Joint Rules shall have charge of the daily calendar of the Senate and shall direct the secretary the order in which the business of the Senate shall be transacted.

No committee shall sit during the daily session of the Senate unless by special leave.

RULE 9. All reports of committees shall be signed by such members thereof as concur therein, or by the chairman for such concurring mem-

bers, naming them, and the report, with the names by or for whom the same is signed, shall be read by the secretary, or at the secretary's desk by the member making the report, without a motion, unless the reading be dispensed with by the Senate. The members of the committee not concurring in the majority report may prepare a written minority report, sign and present the same to the Senate, and both majority and minority reports shall in all cases be spread in full upon the journal.

RULE 10. No person other than the regular officers of the Senate shall be employed by the Senate, or any committee thereof, except by consent of the Senate having been previously obtained by resolution, which resolution shall be referred to the Committee on Senate Employes other than Regular, and reported upon by that committee before action is taken thereon.

The regular employes or officers of the Senate shall be as follows:

Secretary.
Assistant Secretary.
Sergeant-at-arms.
Assistant Sergeant-at-arms.
Doorkeeper.
Assistant Doorkeeper.
Minute Clerk.
Journal Clerk.
Assistant Journal Clerk.
Docket Clerk.
Enrolling Clerk.
Assistant Enrolling Clerk.
Engrossing Clerk.
Assistant Engrossing Clerk.
Bill Clerk.
Assistant Bill Clerk.
Postmaster.
Assistant Postmaster.
Two Stenographers.
Two Pages.
President's Page.
Janitor.
Night Watchman.

The minute clerk, journal clerk, docket clerk, enrolling clerk, engrossing clerk, stenographers and their assistants and committee clerks shall report to the secretary or assistant secretary of the Senate in answer to a roll call thirty minutes before the convening of the Senate each day and shall be subject to assignment by him. All other employes shall report to the sergeant-at-arms or the assistant sergeant-at-arms for roll call thirty minutes before the opening of each session.

All committee clerks shall report to the chairmen of their respective

committee at the opening of the session each day and shall be subject to the orders of such chairmen.

RULE 11. In forming the committee of the whole, the president shall name a chairman to preside, and all bills considered shall be read by sections, and the chairman shall call for amendments and debates thereon at the conclusion of the reading of each section. The body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the secretary on a separate paper as the same shall be agreed to by the committee, and so reported to the Senate for action.

RULE 12. The rules of the Senate shall apply to proceedings in committee of the whole, except that the previous question shall not be ordered, nor the ayes and noes demanded; but the committee may limit the number of times that any member may speak at any stage of the proceedings during its sitting.

RULE 13. Messages may be received by the president while the committee of the whole is sitting; in which case the president will resume the chair, receive the message, and vacate the chair in favor of the chairman of the commtitee.

RULE 14. A motion that the committee of the whole rise shall always be in order, and shall be decided without debate.

RULE 15. The Senate may at any time, by a vote of the majroity of the members present, suspend the rules and orders of the Senate for the purpose of going into the committee of the whole for the consideration of any bill, memorial or resolution before the Senate.

RULE 16. The committees on enrolled and engrossed bills may report at any time during the sitting of the Senate, except when the Senate is sitting in committee of the whole.

RULE 17. After the roll is called and journal read and approved, business shall be disposed of in the following order:

First. Presentation. of. petitions,. memorials, .resolutions and motions.
Second. Reports of standing committees.
Third. Reports of select committees.
Fourth. Messages from the Governor and other state officers.
Fifth. Messages from the House of Representatives.
Sixth. Introduction and first reading of bills.
Seventh. Second reading and reference of bills.
Eighth. Business on general file and third reading of bills.
Ninth. Business lying on the table.
Tenth. The orders of the day.
Eleventh. Unfinished business.

RULE 18. The president shall, on each day, announce to the Senate the business in order, agreeable to the preceding rule, and no business shall be taken up or considered until the class to which it belongs shall be declared in order.

RULE 19. The unfinished business at the preceding adjournment shall have the preference in the orders of the day, excepting special orders, and no motion or any other business shall be received without special leave of the Senate until the former is disposed of.

RULE 20. Every bill shall receive three readings previous to its passage. The president shall give notice at each, whether it be the first, second or third reading. The first and second readings may, by consent of a majority of the Senate, be on the same day. The third reading of every bill shall be by sections, and upon its final passage the vote must be taken by yeas and nays, the names of the senators voting for and against the same to be entered upon the journal, and the majority of the members elected to the Senate must be recorded thereon as voting in its favor to secure its passage by the Senate.

RULE 21. All bills that have passed a second reading which have not been referred, and all bills reported by committees after the second reading, shall be placed on the general file, and shall be considered in the order in which they became entitled to a position on the file, unless otherwise specially ordered by a two-thirds vote of the Senate.

RULE 22. Engrossed bills shall be placed at the head of the general file in the order in which they are reported engrossed (except general appropriation bills, which shall be placed at the head of the general file).

RULE 23. A bill may be committed with special instructions to amend at any time before taking the final vote.

RULE 24. No bill shall embrace more than one subject, and that shall be expressed in a title.

RULE 25. No bill shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

RULE 26. No bill shall be considered in the Senate unless the time of its introduction shall have been at least ten days before the final adjournment of the Senate, unless the Senate shall otherwise direct by a vote of two-thirds of all the members elected thereto, said vote to be taken by yeas and nays, and entered upon the journal, or unless the same be at a special session.

RULE 27. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

RULE 28. On the second day next succeeding the final vote on any bill, said vote may be reconsidered on motion of any member, provided notice of intention to move a reconsideration was given on the day or on the next succeeding day such final vote was taken by a senator who voted on that side which prevailed, and no motion to reconsider shall be in order on the day such final vote is taken, except by unanimous consent. A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the Senate adjourns while a motion to reconsider is pending or before passing the order of

motions, resolutions and notices, the right to move a reconsideration shall continue to the next day of sitting. No notice of reconsideration of any final vote shall be in order on the day preceding the last day of the session. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

RULE 29. Bills appropriating money shall be considered in committee of the whole Senate, and no change in the amount appropriated shall be made outside of the committee of the whole.

RULE 30. Unless otherwise ordered, 300 copies of all bills of a general nature originating in the Senate shall be printed for the use of the Senate and House of Representatives, and such other bills and matter shall be printed as may be ordered by the Senate.

RULE 31. The president shall call the Senate to order at the hour fixed for the consideration of a special order, and announce that the special order is before the Senate, which shall then be considered unless it is postponed by a two-thirds vote, and any business before the Senate at the time of the announcement of the special order shall take its regular position in the order of business.

RULE 32. All bills introduced in the Senate, which are intended to amend existing statutes, shall have the words which are amendatory to such existing statute underlined or underscored, so that in the printed bills which are presented for the perusal of the members, such new or amendatory matter shall be easily discerned.

RULE 33. Joint resolutions and memorials addressed to congress, or either house thereof, or to the president of the United States, or the heads of any of the national departments, or proposing amendments to the State Constitution, shall be subject in all respects to the foregoing rules governing the course of bills.

RULE 34. Resolutions other than those referred to in rule 32, shall be treated as motions in all proceedings of the Senate.

RULE 35. No motion shall be entertained until it shall be seconded, nor debated until announced by the president. It shall be reduced to writing and read by the secretary, if desired by the president or any senator, before it shall be debated, and by consent of the Senate may be withdrawn before amendment or action.

RULE 36. A motion to adjourn shall always be in order. The name of the senator moving to adjourn, and the time when the motion was made, shall be entered on the journal.

RULE 37. When a question is under debate, no motion shall be received but the following, which shall have precedence in the order named:

First. To fix the time to which to adjourn.
Second. To adjourn.
Third. For a call of the Senate.
Fourth. To lay on table.
Fifth. For the previous question.

Sixth. To postpone to a day certain.
Seventh. To commit.
Eighth. To amend.
Ninth. To postpone indefinitely.

The second, third, fourth and fifth motions shall be decided without debate, and no motion to postpone to a day certain, to commit, or postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session, except this rule be suspended by a two-thirds vote, and there shall be no reconsideration of a vote on a motion to postpone indefinitely.

RULE 38. A motion to strike out the enacting clause of a bill or resolution shall have precedence of a motion to commit, or amend, and, if carried, shall be equivalent to its rejection.

RULE 39. Any senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the Senate; but a motion to strike out and insert shall not be divided.

RULE 40. The previous question shall not be put unless demanded by three senators, whose names shall be entered upon the journal, and it shall then be in this form: "Shall the main question be now put?" When sustained by a majority of senators present it shall preclude all debate, and the roll shall be immediately called on the question or questions before the Senate, and all incidental question or questions of order arising after the motion is made after the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

RULE 41. All questions relating to the priority of business shall be decided without debate.

RULE 42. The passage of a bill or action on a question is lost by a tie vote, but when a vote of the Senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote.

RULE 43. The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the Senate shall vote unless excused by the unanimous vote of the Senate, and the votes shall be entered upon the journal, and the names of senators demanding the yeas and nays shall also be entered upon the journal.

RULE 44. In filling blanks the largest sum and longest time shall be first put.

RULE 45. Where the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the Senate, and without debate.

RULE 46. Messages from the Governor, other state officers, and from the Assembly may be considered at any time by consent of the Senate.

RULE 47. When any senator is about to speak in debate, or submit any matter to the Senate, he shall rise from his seat, and standing in his place, respectfully address himself to "Mr. President," and when recognized shall, in a courteous manner, confine himself to the question under debate, avoiding personalities, and when finished, snall resume his seat. No senator shall impeach the motives of any other member, nor speak more than tiwce (except for explanation) during the consideration of any one question, on the same day, nor a second time without leave, when others who have not spoken desire the floor; but incidental and subsidiary questions arising during the debate shall not be considered the same question.

RULE 48. If any senator in speaking, or otherwise, transgress the rules of the Senate, the president shall, or any senator may call him to order, and when a senator shall be so called to order he shall resume his seat and not proceed without leave of the Senate, which leave, if granted, shall be upon motion "that he be allowed to proceed in order," when, if carried, he shall confine himself to the question under consideration.

RULE 49. Every decision of points of order by the president shall be subject to appeal, and no discussion of a question of order shall be allowed except on appeal of three senators, and in all cases of appeal the question shall be "Shall the decision of the chair stand as the judgment of the Senate?"

RULE 50. In cases of breaches of decorum or propriety, any senator, officer or other person shall be liable to such censure or punishment as the Senate may deem proper, and if any senator be called to order for offensive or indecorous language or conduct, the person calling him to order shall report the language excepted to, which shall be taken down or noted at the secretary's desk, and no member shall be held to answer for any language used on the floor of the Senate, if business has intervened before exception to the language was thus taken and noted.

RULE 51. When two or more senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration.

RULE 52. The author of a bill, motion or resolution shall have the privilege of opening and closing debate upon the same, unless the previous question has been moved and sustained.

RULE 53. Any senator or senators may protest against the action of the Senate upon any question, and have such protest entered upon the journal.

RULE 54. Any senator may rise to a question of privilege and explain a matter personal to himself by leave of the president, but he shall not discuss any pending question in such explanation.

RULE 55. No senator shall absent himself from the service of the Senate without leave, except in case of accident or sickness, and if any

senator or officer shall absent himself, his per diem shall not be allowed or paid him, and no senator, officer or attache shall obtain leave of absence or be excused from attendance without consent of two-thirds of the members present.

RULE 56. A call of the Senate may be moved by three senators, whose names shall be entered upon the journals, and if carried by a majority of all present the secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called. The doors shall then be closed and the sergeant-at-arms directed to take into custody all who may be absent without leave, and all the senators so taken into custody shall be presented at the bar of the Senate for such action as the Senate may deem proper.

RULE 57. A senator having been absent during roll call may ask to have his name called.

RULE 58. In all cases of election by the Senate the votes shall be taken *viva voce*, and no senator or other person shall remain by the secretary's dask while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the Senate, nor upon any question in which he is in any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the yeas and nays are being called, nor change his vote after the result has been announced.

RULE 59. The announcement of all votes shall be made by the president, and the announcement of the result of any vote shall not be postponed.

RULE 60. Witnesses summoned by or on behalf of the Senate to appear before the Senate, or any of its committees, shall be paid for each day's attendance three dollars. For each mile traveled in coming to the place of examination, ten cents; and nothing shall be paid for travel where the witness was served at the place of examination, and no mileage shall be paid except where the witness actually traveled for the purpose of giving testimony.

RULE 61. The Senate chamber shall not be used for any but legislative business during the session, except by permission of the Senate given by a two-thirds vote.

RULE 62. The following classes of persons shall be entitled to admission to the floor of the Senate during the sessions thereof, viz.:

1. The Governor and the speaker of the House of Representatives.
2. The members of the House of Representatives.
3. The state officers.
4. Persons in the exercise of official duty directly connected with the business of the Senate.
5. Representatives of the press as provided in the next rule.
6. The following persons upon the presentation of a card of admission to be signed by the president: (a) deputy state officers; (b) such persons as hold limited cards, which cards shall be taken up by the

doorkeepers upon the expiration of the time for which they were issued.

RULE 63. The president shall designate the persons who are entitled to admission as duly accredited representatives of the press, and such persons shall be entitled to such seats as the president shall designate, and shall have the right to pass to and fro from said seats in entering or leaving the Senate chamber.

RULE 64. The gallery back of the president's desk is reserved for the use of the Governor and state officers and their families, for the families of senators, and for members of the House of Representatives and their families.

RULE 65. Smoking shall not be allowed in the Senate chamber during the session of the Senate, nor shall indecorous conduct, boisterous or unbecoming language be permitted there at any time.

RULE 66. The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this Senate and the joint rules of this Senate and House of Representatives.

RULE 67. No standing rule or order of this Senate shall be rescinded or changed without a vote of two-thirds of the members, and one day's notice of the motion therefor; but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called, and after due notice from the president, no objection is offered, he may announce the rule suspended, and the Senate may proceed accordingly; but this shall not apply to that portion of Rule 20 relating to the third reading of bills, which cannot be suspended.

On motion of Senator Baker the report of the Committee on Rules and Joint Rules was adopted.

President Coon announced the appointment of the following

STANDING COMMITTEES OF THE SENATE.

Agriculture—Sharp, chairman; Van de Vanter, Stansell, Pogue, Pauly, Russell, Bratt.

Appropriations—Baker, chairman; Clapp, Stewart, Hunter, Rands, Hammer, Wilson, Tucker, Sumner, Rasher, Veness.

Banks and Banking—Smith, S. T., chairman; Veness, Baker, Kinnear, Rasher, Kennedy, Condon.

Cities of the First Class—Christian, chairman; Potts, Sumner, Earles, Kinnear, Bronson, Brown.

Claims and Auditing—Rands, chairman; Tucker, Welsh, Smith, S. T., Pauly.

Commerce—Condon, chairman; Hunter, Christian.

Congressional Districts—Smith, J. J., chairman; Sumner, Rands, Le Crone, Stansell, Reed, Henry.

Constitution and Constitutional Revision—Graves, chairman; Le Crone, Smith, J. J., Moore, Christian, Hutson, Reed.

Corporations Other than Municipal—Clapp, chairman; Welsh, O'Donnell, Smith, J. J., Smith, S. T., Rands, Stansell, Sharp, Brown.

Counties and County Boundaries—Reed, chairman; Baker, Sharp, Van de Vanter, Hutson, Pauly, Boone.

Dairy and Livestock—Boone, chairman; Potts, Van de Vanter, Pauly, Reed, Pogue, Kennedy.

Dykes, Drains and Drainage—Hammer, chairman; Ruth, Le Crone.

Education—Le Crone, chairman; Earles, O'Donnell, Stewart, Ruth, Henry, Kennedy.

Educational Institutions—Hunter, chairman; Baker, Palmer, Ruth, Earles, O'Donnell, Van de Vanter.

Elections and Privileges—Henry, chairman; Baker, Palmer, Ruth, Earles, O'Donnell, Van de Vanter.

Engrossed Bills—Pogue, chairman; Condon, Bronson, Hutson, Russell.

Enrolled Bills—Kennedy, chairman; Moore, Tucker, Rasher, Brown.

Fisheries—Welsh, chairman; Van de Vanter, Baker, Davis, Sumner, Earles, Clapp, Hammer, Watson, Condon, Moore.

Harbors and Harbor Lines—Bronson, chairman; Earles, Clapp, Hamrich, Condon.

Horticulture and Forestry—Earles, chairman; Sharp, Bronson, Pogue, Bratt.

Irrigation and Arid Lands—Hutson, chairman; Ruth, Sharp, Watson, Moore, Reed, Pogue.

Judiciary—Palmer, chairman; Rands, Graves, Kinnear, Moore, Tucker, Welsh, Hunter, Christian, Hutson, Russell.

Labor and Labor Statistics—Davis, chairman; Clapp, Moore, O'Donnell, Condon, Veness, Henry.

Manufactures—Hemrich, chairman; Smith, S. T., Wilson, Bronsou, Condon.

Medicine, Dentistry and Hygiene—Wilson, chairman; Smith, J. J., Pogue.

Memorials—Moore, chairman; Rasher, Hemrich.

Military—Rasher, chairman; Stewart, Welsh, Kinnear, Reed, Henry, Bcone.

Mines and Mining—Stansell, chairman; Ruth, Davis, Bronson, Hunter, Condon, Watson.

Miscellaneous—Kinnear, chairman; Hammer, Hunter, Condon, Watson.

Municipal Corporations—O'Donnell, chairman; Hammer, Smith, J. J., Stewart, Sharp, Kennedy, Watson, Hunter, Reed.

Printing—Tucker, chairman; Le Crone, Potts, Welsh, Russell, Brown, Pogue.

Public Buildings and Grounds—Ruth, chairman; Potts, Rasher, Stewart, Hemrich, Graves, Boone.

Public Morals—Bratt, chairman; Le Crone, Palmer, Stewart, Watson, Boone.

Public Revenue and Taxation—Sumner, chairman; Hemrich, O'Donnell, Stansell, Veness, Tucker, Wilson, Sharp, Bronson, Kennedy, Bratt.

Railroads and Transportation—Van de Vanter, chairman; Clapp, Sumner, Stansell, Rands, Davis, Wilson, Brown, Russell, Hutson, Veness.

Roads and Bridges—Stewart, chairman; Smith, S. T., Hammer, Stansell, Christian, Veness, Pauly, Bratt, Kennedy.

Rules and Joint Rules—Charles E. Coon, chairman; Baker, Smith, J. J., Clapp, Davis.

Salaries and Mileage—Watson, chairman; Van de Vanter, Davis, Brown, Boone.

Senate Employes Other than Regular—Veness, chairman; Earles, Potts, Ruth, Henry.

State Charitable Institutions—Brown, chairman; Rands, Hammer, Graves, Christian, Hunter, Bronson.

State, Granted, School and Tide Lands—Potts, chairman; Veness, Smith, S. T., Sharp, O'Donnell, Welsh, Earles, Tucker, Watson.

State Library—Russell, chairman; Kinnear, Henry.

State Penal and Reformatory Institutions—Pauly, chairman; Potts, Wilson, Hammer, Hemrich, Russell, Watson.

Senator Palmer withdrew as chairman of the Judiciary Committee and the president appointed as chairman of the Judiciary Committee Senator Rands.

Senator Rands withdrew as chairman of the Committee on Claims and Auditing, and the president appointed Senator Palmer chairman of the Committee on Claims and Auditing.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., January 13, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 25, entitled "An act appropriating the sum of $80,000 for the expenses of the ninth legislative session."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

The president appointed Senators Rasher and Moore as a joint committee to act with the committee from the House in

accordance with Senate concurrent resolution No. 6, relating to the Rogers memorial services.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 13, 1905.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 2, providing for printing 5000 copies of the messages of ex-Governor McBride and Governor Mead, and the inaugural address of Governor Mead.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Clapp the Senate concurred in House concurrent resolution No. 2.

INTRODUCTION OF BILLS.

Senate bill No. 38, by Senator Veness: An act providing for the laying out and construction of a State wagon road, and declaring an emergency, etc.

The bill was read the first time, and on motion of Senator Veness the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate bill No. 39, by Senator Bratt: An act to establish an institution for the defective and feeble-minded youth of the State of Washington and declaring an emergency, etc.

The bill was read the first time, and on motion of Senator Bratt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Charitable Institutions.

Senate concurrent resolution No. 8 was adopted on motion of Senator Rands, as follows:

Resolved by the Senate, the House concurring, **That the secretary of the Senate and the chief clerk of the House be instructed to prepare and have printed three hundred cards containing the names of the Senate and House standing committees and six hundred Legislative Manuals. similar to he manuals published by the Eighth State Legislature.**

The hour having arrived, 11 o'clock a. m., eulogies were delivered in honor of the late Senator Edward S. Hamilton.

Senator Clapp said:

MR. PRESIDENT:

We have assembled here today, not for the purpose of erecting a monument, but to pay a loving and mell-merited tribute to the memory of our departed friend and brother colleague, Edward S. Hamilton.

We need no marble or granite shaft to perpetuate that memory in our hearts; we who knew Senator Hamilton best realize most the great and irreparable loss which we, the State and this Chamber have sustained. We also know and realize, too, that his precociousness as a child, his adaptability as a youth and his many capabilities as a man almost preclude the possibility of eulogizing his many merits. Yet I feel that I would indeed be most recreant in my duty, and absolutely false to my own desires, if I did not raise my feeble voice in an effort at praise of the life, deeds and accomplishments of our departed friend.

Mr. President, for more than seventeen years it was my happy privilege to call Senator Hamilton friend, and during six years of that time we were closely associated in legislative work; and I am free to unhesitatingly state here today that I never knew a stronger or bolder champion and advocate of what he conceived to be right, just and honorable.

Senator Hamilton was an indefatigable worker, both in committee and upon the floor, no matter how hard and arduous was his committee work, which often extended into the late hours of night, and not infrequently into the early hours of morning; yet Ed Hamliton was always in his place upon the floor of the Senate, ready, willing and anxious to perform every duty devolving upon him. And while a strong, fearless and resolute antagonist, ready at all times to enter into any just and equitable contest, yet no one will say that Ed Hamilton was not always honorable, just, fair open and above-board. He was kind, he was generous, he was benevolent and philanthropic in the highest degree, and only those who received favors and assistance at his hands will ever know the extent to which he gave the poor, the needy, the distressed and the unfortunate.

May we endeavor to emulate his good deeds and noble character, may we all profit by his example, so that it may some time be said of us that we were not here in vain, but that the world was benefited by our having lived.

The early demise, the sudden taking away of one so young, of one so full of hope, of one so full of ambition, of one so capable of doing good, seems to verify and emphasize the truthfulness of that old-time adage that "None but the good die young."

Senator Bronson said:

MR. PRESIDENT:

I deem it a great privilege that I may speak a few words in memory of Hon. Edward S. Hamilton.

At 9 o'clock on Wednesday morning, November 11, 1903, at his beautiful home in Tacoma, surrounded by his family and a few friends, in the prime of his vigorous and intellectual manhood, and with the name of his beloved little daughter upon his lips, Edward Hamilton passed away.

Edward Hamilton was born in Brooklyn, N. Y., on July 15, 1865. Graduating from the Westchester county institute, of Poughkeepsie, at the age of 17, he began an active career. Ever a close observer and a tireless worker his success early in life demonstrated that his attention to detail amounted almost to a gift of genius. Although of late years his business interests were confined almost entirely to marine affairs yet he had acquired such a vast amount of general information that he could give his associates detailed statements concerning agricultural, mining, railroading and other subjects, much to the astonishment of well-informed men with whom he came in contact.

Mr. Hamilton was a born leader of men and he had the cheerful manner of making and holding friends who were ever loyal to him, and his nature was rich in those qualities which make up the administrative faculty. Although he had attained the age of but thirty-eight years he was recognized as one of our great men; he enjoyed a wide personal acquaintance and few political leaders in the State have ever been tendered greater devotion than Senator Hamilton received from his friends. Speaking as one of his neighbors, who enjoyed his confidence, it was always a pleasure to join him with his friends in a conference at his beautiful home, on matters of either a business or political nature, and a more hospitable and genial host it has never been my privilege to meet.

In his death our city lost a most valuable and honored citizen; our county a most loyal worker, and our State a most fearless, conscientious and masterly statesman.

Better than words which I may speak at this time his record and his memory remain to his friends as acts of a great man and an enduring history in the memory of the people of the State of Washington.

Senator Rands said:

MR. PRESIDENT:

I hestitate to attempt any expression of my thoughts upon this occasion, yet my association with Senator Hamilton was so intimate that I cannot refrain, inadequate as any words of mine must be, from expressing the deeper sentiments of the heart that incessantly well to the surface each time that we gather here, where we miss so much his smiling face and ever-cheerful greeting.

There was a man of keen intellect and stable character.

There was a man of sterling worth and manly attributes.

There was a man whom we all admired and loved.

His friends knew that they could rely upon his ready assistance,

while those who were opposed to him knew that he would be in the arena stripped for the fray, neither asking nor giving quarter.

Senator Hamilton was a man of forceful character and an assertive nature, yet his good sense caused him to confer with his associates and heed their counsels whenever his clear judgment approved their suggestion.

Quick to grasp an idea, a leader of men by nature, we of this body and I doubt not his associates in every walk of life, learned to look to him for leadership, and we never looked in vain.

His assistance and advice were sought unceasingly, and no narder working member of this body ever served his constituents or the State at large.

One of the most robust of our number in appearance, he has answered to the last roll call, while others of us, much slighter in appearance and with less ability to carry on the work entrusted to our hands, are left to mourn his departure and our loss. No more will we hear his voice raised in advocacy of, or opposition to, measures under consideration. No more will we feel and respond to the hearty handshake and cheerful greeting. No more can we seek his wise counsel and friendly advice.

The place and friends that knew him so well will know him no more forever, but while the breath of life shall remain in our bodies and the light of reason continue in our souls those of us who were his friends, and who was not, will treasure his memory in our hearts, where lie engraved the remembrance of his virtues and lovable qualities.

The tides of time have long since erased from the sands of memory the few, if any there were, objectionable attributes of his noble character.

Alas, poor Hamilton, we knew you well. Others will greet us. Others will carry on the work, but there is one niche in the heart of each man who knew you well that will never be filled till we, too, respond to the last roll call and cross to the spirit world, where, perchance, your spirit, now viewing us with kindly eye, will once more commune with ours and reinhabit the chamber left vacant when you preceded us to the great unknown.

Senator Tucker said:

MR. PRESIDENT:

The Hon. Edward S. Hamilton, as he was known to the people of Pierce county and to the State at large, was to the older members "Ed Hamilton." While elected state senator from Pierce county, he was really senator form the State of Washington, from every city and town and county. He was above petty sectionalism and petty jealousies. He but lived to attain the ambition of his political career, that of being elected to the United States senate. He would have been senator for the whole State and for every part thereof. He was a leader of men,

a leader of whom there was no jealousy, one we were glad to follow. It is an old saying not to save all the bouquets for the funeral. In Hamilton's case we did not save them. In his lifetime his abilities were recognized, especially in the legislative halls, and his leadership was willingly admitted and accepted.

Senator Hammer said:

MR. PRESIDENT:

I feel that I had not done my full duty should I fail to embrace this opportunity to add at least a few words in tribute to the memory of our deceased friend and member, Senator Ed S. Hamilton. 'Tis most timely and fitting that this body of which he was for three sessions a most distinguished member, should at his time publicly pay its respects to the memory of our late brother and show to his family and to the people of the State in what high regard we held him as a man, a senator and a citizen, and to recount a few, at least, of his kindly acts and unselfish deeds and to recall his devotion to his friends and to his official duties.

He was indeed a "manly man," a true and constant friend and an honorable adversary. No member had to employ a detective to find where he stood on any matter of legislation. He always fought in the open and used only fair and honorable means to accomplish his ends.

I learned to know and love him under other circumstances than most of you in being directly opposed to him on many measures on which he had set his heart that they should pass or that they should be defeated. Our friendship grew in spite of opposition and rivalry and many are the favors I have asked of him which, as an adversary, he had no reason to grant, and never did I come away empty-handed. He, as a senator, was honest, honorable and incorruptible, for none but honest men possess such qualities of heart and mind and exercise such loyalty and fidelity to friends.

It grieves me much that his untimely taking off prevents my repaying at least some of the many favors shown me. He possessed to a marked degree the quality or power of personal magnetism necessary to leadership. And had he lived the usual alloted time there is no doubt that he would have made his mark, not in the State of Washington alone, but in the councils of the nation as well.

Senator Welsh said:

MR. PRESIDENT:

Since the adjournment of the eighth session of the Legislature Hon. Ed S. Hamilton, an honored and respected member of this body has been taken from us by the hand of death.

In life he was my friend; and it is but fit and proper that now, when his tongue is silenced by the stillness of the tomb, that I speak for him,

who, during his life, so often, earnestly and eloquently spoke in my behalf.

When death embraced him, he was in the prime of life, on the high-way of success, a useful citizen, a faithful and incorruptible public servant, following a bright and brilliant star in the political firmament, which gave promise of a glorious future.

Why he should be thus early cut down and his eyelids closed in death, we do not know. But we do know that man is surrounded by limitations.

To the human mind there is the unknown and the unknowable. There are heights we cannot reach; there are mysteries we cannot solve; there is a future we cannot see; there are things the human mind cannot comprehend.

It may appear to us that life is too brief, compared with the period required in obtaining an education, and in fitting one's self to successfully obtain a subsistence, in this world where the struggle for maintenance is strenuous, and the contest for supremacy is keen. For upon the arrival of the time, when a man has well fitted himself by study, observation and experience to successfully combat the elements, and his environments, and compete with his fellow man, for subsistence, place or power, he has reached the meridian of life, and the sun of his life's day is swiftly and inevitably traveling towards the western horizon to forever set.

Yet while death is pronounced cruel, it is impartial. It is no respecter of age, nor of persons, nor of place, nor of power. Alike it treats the plebian and the patrician, and side by side in death they sleep.

So when the husband and father, upon whom depends for support a wife and child, the public servant whose services the State needs and demands, is removed from the sphere of human action, it is not for us fallible beings to question the wisdom of an infallible Providence.

Ed. S. Hamilton was an American by birth. His ancestors on his paternal side were Scotch-Irish, blood which has given seven presidents to the greatest and grandest nation on earth, our own beloved country.

Who can estimate the heritage that Scotland has bequeathed to mankind, for in every art, in every science, in every field of literature her sons have won renown, and ascended the highest peaks of the intellectual world.

To the Emerald Isle, he was indebted for the blood that gave us a Burke in statesmanship, a Grattan and an O'Connell in oratory, and a Moore in poetry and song; a land of whose sons it has been said:

"They have fought sucessfully all battles of the world, save their own, and whose eloquence has enriched the pages of literature of every nation in christendom."

On his maternal side he was of English stock, such stock as produced a Chatham, a Milton, and a Shakespeare.

Hamilton was proud of his ancestry and who would not be?

He began life as a poor boy, but possessing the brilliancy of the Irishman, the perseverance of the Scotchman, the solidity of the Englishman, and the character and opportunity of the American, he bravely met and conquered all obstacles, and success in all his undertakings crowned his brief career.

His word was good, a promise once given was never broken.

As a legislator in this Senate, there was none more vigilant of the interests of the people of the great State whom he had the honor to represent.

He fearlessly and boldly advocated those principles and measures, which he believed to be right and just. Those who differed with him never questioned his honesty of heart, nor his sincerity of purpose.

While to his friends he was ever constant, generous and true, yet with his opponents he was eminently fair; and from the lofty heights of honesty and fairness, where he always and ever stood, he never stooped to take a dishonorable advantage of a foe.

He may have had some faults. What man is free from them? Perfection is rarely, if ever, found. The fairest flower is not without its imperfection. The microscope will reveal in a most brilliant jewel, some flaw.

So in the life and career of every man whether he be a Wellington in war, a Hugo in literature, a Bismarck in statesmanship, a Plato in philosophy, a Homer in song, or the humblest citizen, there will appear some fault or some error, or some imperfection, without which, he would cease to be a man and become a god.

Hamilton's mind was broad and his judgment clear. Consequently there was no malice in his nature. This he left to smaller minds and to meaner beings.

It may be truthfully said of him that in all his dealings with his fellow man, he was scrupulously honest; that he was an able and faithful public servant, ever true to the best interests of his State; that he was ambitious but he never pressed nor flaunted his own ambition to the detriment of a friend.

Of such a record and such a career, those who were near and dear to him and who survive him, may well be proud.

Senator Ruth said:

MR. PRESIDENT:

Only two short years ago he who is the occasion of our grief and sorrow today was a leader among us. He stood on an eminence and glory covered him. From that eminence he has fallen, suddenly and forever. His intercourse with the living world is now ended, and those who would hereafter find him must seek him in the grave. There, cold and lifeless, is the heart that a short time ago throbbed with friendship of the truest kind. There, dim and

sightless, is the eye whose radiant orb beamed with intelligence and good will, and there, closed forever, are those lips upon whose utterance we could always depend.

Ed Hamilton was an ambitious man. He aspired to the highest office in the gift of this State. But in this, as in everything, there was no concealment of his nature.

Ambition is never a weakness unless disproportionate to capacity. With him it was a noble passion, because it rested on noble powers. The height to which men may rise is in proportion to tne upward force in their genius, and they will never be calm until they have attained their predestined elevation. Lord Bacon says: "As in nature things move violently to their place and calmly in their place, so virtue in ambition is violent; in authority, settled and calm."

Ed Hamilton had a giant's brain and a giant's work. He found repose in those strong conflicts and great duties which crush the weak and madden the sensitive. Those of us who encouraged him in his ambition, and stood ready to do all in our power to elevate him to that high position to which he aspired, knew, as did those of you who were less fortunately situated, that he would have yielded his body to the flames before he would have sought to grasp the highest prize on earth by any means, by any tactics, by any speech that violated the sacred book of friendship.

Big-hearted, broad-minded, open-handed, of intellect, a manly man, prince of good fellows, he ever treated a friend like a brother and an enemy with courtesy. Called from our midst at a time when his future looked so bright, many of us have felt that his loss was almost a tragedy, but as there is no appeal from the bar of that final court, we humbly bow the head and say, "Thy will be done."

Senator Wilson said:

MR. PRESIDENT AND GENTLEMEN:

No feeble words of mine can ever do justice to the memory or character of such a man as was Edward Hamilton.

Through his untimely death the State of Washington sustained a loss, but the blow fell with greater force upon the citizens of Pierce county.

They knew him best and were well acquainted with his many virtues. To them his loss will be irreparable.

During the many weary hours I was associated with him on the appropriations committee last session I learned to respect and admire him.

His was a personality that none could resist and of the kind found only in men of the largest calibre.

With a heart that is full of sadness, I say, God's will be done; may he rest in peace.

Senator Graves said:

The finite mind comprehends naught of the universal scheme. Man comes into consciousness from oblivion, and, having played his brief role on life's stage, he passes into the unknown. Yet, unless man be the plaything of a malignant spirit, unless his every higher thought and hope are but Tantalus' torments, he is placed upon this earth with an active work to do. Here he does his mite toward the elevation or degradation of mankind, and here, as I ardently hope and firmly believe, he determines the place he shall fill in a higher and better future life.

All men are fallible. But he who has lived a kindly, frank and honest life has played his part worthily and well, and may pass from this world without regret and without fear. My acquaintance with Edward Hamilton was not long; but I sat with him as a member of this body through a session of the legislature when partisan and economic contests were bitter. We were of different political faiths, and we differed widely in our views on many policies. Through it all he was a man, genial, kind-hearted, frank and honest, who fought always in the open, and whose word could be trusted implicitly. His honesty was never doubted, and the contest left nothing of bitterness behind.

I believe that Edward Hamilton's life was like that of the session we sat together. And I believe that, so living, he did his appointed work upon this earth, and has passed to a future life in the ripe fruition of his portion in the universal life. May so much be said of all when it comes their time to pass into the unknown.

Senator Sharp said:

MR. PRESIDENT:

I, too, desire to say a word as a passing tribute to the memory of Senator Edward S. Hamilton. Mr. President, it would be useless for me to attempt to add to what has been said upon this floor in eulogy of the character of the departed senator. For six years I was intimately associated with Senator Hamilton in legislative work. It was only as co-laborer in such work that I ever knew him, but I ever found in him a true and faithful friend, a just and honorable foe. He was stricken down in the discharge of his duties; his work was unfinished, yet his column was broken and the State of Washington is left to mourn.

Senator Moore said:

It was my misfortune not to know Senator Hamilton, our departed friend and colleague, until after my election to this body in 1902. My personal acquaintance with him was of one year's duration, yet in that time I learned to love and respect him as I did few men.

He was genial and happy in nature and disposition. He was strong

in mind and body. He was faithful, indefatigable and vigorous in the discharge of every duty that fell to his lot to perform.

Ed Hamilton never knowingly wronged a human being in his life, if during my acquaintance with him I read him rightly.

Of all these characteristics and attributes of which I have spoken he was possessed, and in them is found greatness, to which Ed Hamilton was destined in a marked degree. Yet with all of his strength and vigor and aggressiveness, he was kind, true and considerate.

We learned as children of the story of one who fell by the wayside, wounded, sore and sick; that one came along and observing that he was not of his people, refused him succor and aid; that the second that came along declined to give him succor and aid for fear he would soil his priestly robe. The third who came along, though not of his people nor priestly robe, dressed his wounds and gave him aid and succor. Of such as this last was Ed Hamilton. He never failed to give aid and relief and a kindly word to anyone who was in need or distress, no matter whether he was of his people or whether he might soil his robes by so doing.

He always did his duty, whether to his fellow man, to his State, or to his country. I know that his memory will ever be fresh and dear in the minds and the hearts of those of us who knew him. All that has been said of him here is true, and we honor ourselves in thus honoring his memory.

Senator Stansell said:

Born at Brooklyn, N. Y., in 1865, of poor parents who were unable to be of the assistance they had hoped to be in educating their children, Edward S. Hamilton started to make for himself a name in this world to be proud of and that his friends and colleagues admire.

Because of his sterling integrity and untiring zeal in his persistent endeavors to serve his country he gradually climbed the ladder of fame until, in the prime of life, when stricken by the grim hand that tears us from those we love and admire, he had reached the rung where the mention of his name was to remind us of one whose ideals were honesty, independence and equality.

In his sixteen years residence in this State, Senator Hamilton gained an enviable reputation in social, business and political life. By his faithful public service he stood as an unchallenged leader of the highest legislative body in this our noble State of Washington.

His sudden taking off while holding the position of State Senator, representing one of the fairest and most progressive cities of our State, is an irreparable loss to the city of Tacoma and to our commonwealth.

In paying this our tribute to the one we admired and loved, we most feelingly sympathize with his bereaved family and extent to the widowed mother and orphan child our token of sorrow and expression of esteem for him who was our invaluable colleague and co-laborer.

On motion of Senator Rands the Senate at 11:45 a. m. adjourned until 2 o'clock p. m. Monday, January 16, 1905, as a tribute of respect to the memory of the late Senator Edward S. Hamilton, deceased.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

EIGHTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 16, 1905.
2 o'clock p. m.

The Senate was called to order at 2 o'clock p. m. by President Coon, pursuant to adjournment.

Rev. W. S. Crockett offered prayer.

The secretary called the roll; all members being present except Senators Hammer and Smith, J. J., and Senator Moore, excused.

The journal of Friday, January 13, 1905, was read and approved.

The president announced the following changes in standing committees:

Senator Clapp desiring to be relieved from service on the Committee on Fisheries, the president appointed on that committee, Senator Potts.

Senator Potts desiring to be relieved from service on the Committee on Dairy and Livestock, the president appointed Senator Henry a member of that committee.

Senator Henry desiring to withdraw from service on the Committee on Senate Employes other than Regular, the president announced the appointment of Senator Palmer as a member of that committee.

The hour having arrived for the consideration of vetoed Senate bills No. 169 and No. 85, the secretary read Senate bill No. 169 in full and the veto message on same and on the question "Shall the bill pass notwithstanding the Governor's veto?" the roll was called, which resulted as follows:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Earles, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh—34.

Those voting nay were: Senators Graves, Sharp, Wilson—3.

Those absent or not voting were: Senators Davis, Hammer, Moore, O'Donnell—4.

The bill having received the necessary two-thirds vote the president declared the bill passed notwithstanding the Governor's veto.

Senate bill No. 85 and the veto message on same were read in full by the secretary and on the question "Shall the bill pass notwithstanding the Governor's veto?" the roll was called which resulted as follows:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—38.

Senator Graves voted nay.

Those absent or not voting were: Senators Hammer, Smith (J. J.), Moore—3.

Senate bill No. 85 having received the necessary two-thirds vote the president declared the bill passed notwithstanding the Govenor's veto.

On motion of Senator Clapp, Senate concurrent resolution No. 9 was adopted as follows:

WHEREAS, An invitation was extended to and accepted by the Governor and State officers and the Legislature of the State of Washington to visit and inspect, on the 14th day of January, instant, the city of Seattle with its immense and varied maritime and commercial interests, and more especially the new steamship "Minnesota" and the nearly completed battleship "Nebraska," now lying in the harbor of that city,

the State officers and the members of the Legislature having been on that occasion the guests of the mayor and other officials of Seattle, its chamber of commerce and its citizens' committee, and of J. D. Farrell, the president of the Northern Steamship company and the personal representative at Seattle of James J. Hill, the president of the Great Northern Railway company: and

WHEREAS, On that occasion the visiting guests were welcomed with the most cordial and lavish hospitality, both officially and personally, and were munificently entertained on board the steamship "Minnesota" and afforded a full inspection of the marvelous finish and perfection of that great ship, and afterwards were afforded a like thorough examination of the battleship "Nebraska," one of the most powerful fighting ships ever built, and there were also extended to the State officers and Legislature the manifold courtesies of the great city of Seattle; and

WHEREAS, The members of the Legislature of this State, as a result of said most enjoyable visit, are more than ever impressed with the marvelous progressiveness of the city of Seattle and its assured position as one of the greatest capitals of Pacific industrial enterprise, and especially with the facts that the constructive genius of Moran Brothers Company, by the successful completion of its undertaking to build for the government of the United States a battleship of the largest and most advanced type, has added new lustre and prestige to that city's long list of creditable achievements, and that James J. Hill, by his inauguration, in connection with the Great Northern Railway system, of a new line of transoceanic traffic between the city of Seattle and oriental countries, equipped with steamships of such unprecedented capacity and completeness as the "Minnesota" and its coming sister ship the "Dakota," has added another to the long list of his acts, characterized by wonderful foresight and approved by unbroken success, whereby he is justly entitled to rank as the greatest among the upbuilders of the industrial development of the Pacific Northwest; therefore, be it

Resolved by the Senate, the House concurring, That we, the members of the Senate and the House of Representatives of the State of Washington, do hereby express our deep appreciation of the genial good fellowship and splendid hospitality afforded to us on the occasion above mentioned; and, be it further

Resolved, That a vote of thanks therefor, on the part of the Legislature of the State of Washington, in behalf of the members thereof, as well as the Governor and other State officers, be and it hereby is tendered to the officials of the city of Seattle, its chamber of commerce and its citizens' committee, to the Northern Steamship company and to Moran Brothers Company, and that this resolution be spread on the journals of the Senate and the House of Representatives; and, be it further

Resolved, That enrolled copies of this resolution be transmitted to the mayor of the city of Seattle, to the president of the chamber of com

merce of said city, to the president of Moran Brothers Company, and to the president of the Northern Steamship company.

Senate joint resolution No. 1 by Senator Boone, urging the senators and congressmen from the State of Washington to assist President Roosevelt in bringing about additional legislation relating to the interstate commerce commission.

On motion of Senator Boone the rules were suspended and the resolution placed on its final passage.

The roll being called the resolution was adopted by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—40.

Those absent or not voting were: Senators Hammer, Smith (J. J)—2.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 16, 1905.

MR. PRESIDENT:

We, your special Committee on Assignment of Rooms for use of Committees, have had the matter under consideration, and we respectfully report to the Senate and recommend that rooms be assigned as follows, to-wit: Appropriations Committee, to large room back of president; Judiciary Committee, large room east end of corridor; Postoffice, sergeant-at-arms and messengers, small room northeast corner of corridor; bill clerk, room east side Senate chamber; stenographers and desk clerks, room northeast corner Senate chamber; journal clerk, northeast room of building; lieutenant governor, northwest room of building; Engrossing and Enrolling Committees, northwest room off gallery. That the sergeant-at-arms fit up said rooms suitably for the use of said committees, and that the committee be given further time in which to complete report, pending the grouping of committees.

E. M. RANDS, Chairman.

I concur in this report: W. E. Bronson.

On motion of Senator Rands the report was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 16, 1905.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, find the members and officers of the Senate entitled to mileage as follows, and recommend that the same be allowed and ordered paid:

Names.	*Postoffice.*	*County.*	*Miles.*	*Amount.*
Baker, Geo. H.....	Goldendale.....	Klickitat..... Skamania.....	528	$ 52.80
Boone, H. M.....	Palouse.....	Whitman.....	1035	103.50
Bratt, E. C.....	Plaza.....	Spokane.....	945	94.50
Bronson, W. E.....	Tacoma.....	Pierce.....	66	6.60
Brown, Dr. C. G.....	Spokane.....	Spokane.....	875	87.50
Christian, Walter.....	Tacoma.....	Pierce.....	66	6.60
Clapp, Cyrus F	Port Townsend.....	Clallam..... Jefferson..... San Juan.....	240	24.00
Coon, Chas. E., L't-Gov..	Port Townsend.....	Jefferson.....	240	24.00
Condon, R. W.....	Port Gamble.....	Island..... Kitsap..... Mason.....	227	22.70
Davis, Lincoln.....	Tacoma.....	Pierce.....	66	6.60
Earles, John.....	Bellingham.....	Whatcom.....	340	34.00
Graves, Will G.....	Spokane.....	Spokane.....	875	87.50
Hammer, Emerson.....	Sedro-Wooley.....	Skagit.....	318	31.80
Hemrich, A.....	Seattle.....	King.....	147	14.70
Henry, Walker A.....	Spokane.....		875	87.50
Hunter, T. A.....	Blaine.....	Whatcom.....	412	41.20
Hutson, C. T.....	Connell.....	Adams..... Franklin..... Walla Walla....	765	76.50
Kennedy, Geo. A.....	Odessa.....	Lincoln.....	686	68.60
Kinnear, Ritchie M.....	Seattle.....	King.....	147	14.70
Le Crone, Samuel M....	Tacoma.....	Pierce.....	66	6.60
Moore, Wm. Hickman...	Seattle.....	King.....	147	14.70
O'Donnell, J. R.....	Elma.....	Chehalis.....	76	7.60
Palmer, Edward B.....	Seattle.....	King.....	147	14.70
Pauly, Fred M.....	Walla Walla.....	Walla Walla.....	725	72.50
Pogue, Dr. J. I.....	Alma.....	Douglas..... Ferry..... Okanogan.....	850	85.00
Potts, W. G.....	Seattle.....	King.....	147	14.70
Rands, E. M.....	Vancouver.....	Clarke.....	280	28.00
Rasher, Huber.....	Spokane.....	Spokane.....	875	87.50
Reed, Walter J.....	North Yakima.....	Yakima.....	394	39.40
Russell, S. S.....	Pomeroy.....	Asotin..... Columbia..... Garfield.....	1100	110.00
Ruth, A. S.....	Olympia.....	Thurston.....	....	.....
Sharp, J. P.....	Ellensburg.....	Chelan..... Kittitas.....	320	32.00
Smith, Dr. J. J.....	Enumclaw.....	King.....	147	14.70
Smith, S. T.....	Marysville.....	Snohomish.....	220	22.00
Stansell, M. E.....	Rice.....	Stevens.....	1106	110.60
Stewart, Carey L.....	Puyallup.....	Pierce.....	210	21.00
Sumner, T. B.....	Everett.....	Snohomish.....	66	6.60
Tucker, Orville A.....	Seattle.....	King.....	147	14.70
Van de Vanter, A. T ..	Duwamish.....	King.....	147	14.70
Veness, J. A.....	Winlock.....	Lewis.....	60	6.00
Watson, A. L.....	Kalama.....	Cowlitz.....	164	16.40
Welsh, J. T	South Bend.....	Pacific..... Wahkiakum.....	158	15.80
Wilson, G. B.....	Pullman.....	Whitman.....	1043	104.30
Lysons, J. W., Sec'y....	Port Townsend.....	Jefferson.....	240	24.00

Respectfully submitted. A. L. WATSON, Chairman.

We concur in this report: C. G. Brown, H. M. Boone, A. T. Van de Vanter, Lincoln Davis.

On motion of Senator Watson the report of the Committee on Salaries and Mileage was adopted.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., January 13, 1905.

To the Senate:

I am directed by the Governor to inform you that he has this day approved Senate bill No. 25, entitled "An act appropriating the sum of eighty thousand dollars, or so much thereof as necessary, for the expenses of the Ninth Legislature."

A. N. BROWN, Private Secretary.

INTRODUCTION OF BILLS.

Senate bill No. 40, by Senator Reed: An act providing for the destruction of certain wild animals in this State.

The bill was read the first time, and on motion of Senator Reed the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Agriculture.

Senate bill No. 41, by Senator Graves: An act to prevent the extension of special privileges to public officers or employes by quasi public agencies.

The bill was read the first time, and on motion of Senator Graves the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 42, by Senator Graves: An act relating to the public revenue, providing for the assessment and taxation of property, and creating a state tax commission, etc.

The bill was read the first time, and on motion of Senator Graves the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenues and Taxation.

Senate bill No. 43, by Senator Ruth: An act for the relief of Frank C. Owings, and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Ruth the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 44, by Senator Baker: An act to authorize civil actions for the recovery of damages arising from pewspaper publications negligently made, etc.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

On motion of Senator Potts, it was ordered that 500 copies be printed of the eulogies delivered on Senator Edward S. Hamilton in the Senate chamber on Friday, January 13, 1905, and also that said eulogies be spread on the journal of the Senate.

On motion of Senator Tucker the Senate adjourned until 11 o'clock a. m., Tuesday, January 17, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 17, 1905.
11 o'clock a. m.

Senate was called to order at 11 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. W. S. Crockett offered prayer.

The secretary called the roll; all members being present.

Yesterday's journal was read and approved.

On motion of Senator Rands the following resolution was adopted:

***Resolved*, That the secretary of the Senate prepare and present a list of the Senate employes who have been elected to positions, giving the positions to which elected or assigned so far as same has been done.**

The following resolution was adopted on motion of Senator Rands:

***Resolved*, That a committee of three be appointed to group the stand-**

ing committees of the Senate so as to economize in the number of rooms required, and to assign clerks to the several groups.

The president announced the appointment to service as such a committee: Senators Rands, Bronson, Moore, being the same as now on the Committee on Rooms.

REPORT OF STANDING COMMITTEE.

To the Senate:

We. your Committee on Salaries and Mileage, respectfully report and recommend the following per diem salaries be paid the Senate employes at the present session:

Secretary	$7.50
Assistant Secretary	6.00
Sergeant-at-Arms	6.00
Assistant Sergeant-at-Arms	5.00
Minute Clerk	5.00
Docket Clerk	5.00
Journal Clerk	5.00
Assistant Journal Clerk	5.00
Enrolling Clerk	5.00
Assistant Enrolling Clerk	4.50
Engrossing Clerk	5.00
Assistant Engrossing Clerk	4.50
Calendar Clerk	4.50
Bill Clerk	5.00
Assistant Bill Clerk	4.50
Postmaster	4.00
Assistant Postmaster	4.00
P. O. Messenger	4.00
General Messenger	4.00
City Messenger	2.50
Stenographer	5.00
Janitor	4.00
Assistant Janitor	4.00
Doorkeeper	4.00
Assistant Doorkeeper	4.00
Assistant Doorkeeper	4.00
Assistant Doorkeeper	4.00
Watchman	4.00
Night Watchman	4.00
Page to Lieutenant Governor	2.50
Page	2.50
Page	2.50
Secretary to Lieutenant Governor	5.00
Clerk to Judiciary Committee	5.00
Committee Clerks	4.00
Clerk to Appropriations Committee	5.00

Respectfully submitted.

A. L. WATSON, Chairman.

We concur: C. G. Brown, Lincoln Davis, H. M. Boone, A. T. Van de Vanter.

Senator Davis moved that the report of the Committee on Salaries and Mileage be adopted.

Senator Rands moved as a substitute that the schedule of salaries for employes of the Senate be the same as that paid during the session of 1903.

Senator Palmer moved as an amendment to Senator Rands' substitute that the salary of the secretary of the Senate be fixed at $7.50 per day.

The amendment was lost by the following vote:

Those voting yea were: Senators Bronson, Clapp, Condon, Hemrich, Kennedy, Palmer, Pogue, Smith (S. T.), Tucker, Van de Vanter, Welsh, Wilson—12.

Those voting nay were: Senators Baker, Boone, Bratt, Brown, Christian, Davis, Earles, Hammer, Henry, Hunter, Hutson, Le Crone, Moore, O'Donnell, Pauly, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (J. J.), Stewart, Sumner, Veness, Watson —27.

Those absent or not voting were: Senators Graves, Kinnear, Stansell—3.

The substitute offered by Senator Rands was carried by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Clapp, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Russell, Ruth, Sharp, Smith (J. J.), Smith (S. T.), Stewart, Sumner, Veness—28.

Those voting nay were: Senators Boone, Brown, Christian, Condon, Davis, Palmer, Reed, Tucker, Van de Vanter, Watson, Welsh, Wilson—12.

Those absent or not voting were: Senators Graves, Stansell—2.

On motion of Senator Rands the report of the Committee on Salaries and Mileage was referred back to that committee.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 16, 1905.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 5, entitled "An act repealing chapter LIX, Session Laws of 1899,

same being an act entitled 'An act relating to the law of libel and providing for opportunity of retraction of libels,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

O. A. TUCKER, Chairman.

We concur in this report: John T. Welsh, S. M. Le Crone, W. G. Potts, J. I. Pogue, S. S. Russell, C. G. Brown.

On motion of Senator Tucker the report of the Committee on Printing was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 45, by Senator Pauly: An act to amend section 6 of an act entitled "An act making provisions for the incorporation of cemetery associations," etc.

The bill was read the first time, and on motion of Senator Pauly the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Corporations other than Municipal.

Senate bill No. 46, by Senator Henry: An act for the regulating of the manufacture and sale of vinegar, etc.

The bill was read the first time, and on motion of Senator Henry the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Surgery, Dentistry and Hygiene.

Senate bill No. 47, by Senator Rands: An act giving the county commissioners right to set apart funds for the purpose of making a county exhibit at the Lewis and Clark exposition at Portland, etc.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 48, by Senator Ruth: An act making an appropriation for the relief of the Capital National Bank for money advanced for the maintenance of the state capitol.

The bill was read the first time, and on motion of Senator Ruth the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Claims and Auditing.

Senate bill No. 5, by Senator Tucker: An act repealing chap-

ter LIX, Session Laws of 1899, relating to the law of libel, was given its third reading, and on motion of Senator Tucker considered engrossed and placed on final passage.

On roll call Senate bill No. 5 was passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson —38.

Those voting nay were: Senators Clapp, Moore, Palmer—3.

Absent or not voting: Senator Hemrich—1.

The emergency clause of Senate bill No. 5 was passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Sharp, Smith (S. T.), Stansell, Stewart, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—34.

Those voting nay were: Senators Graves, Hammer, Moore, Palmer, Rasher, Smith (J. J.), Sumner—7.

Absent or not voting: Senator Clapp—1.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Tucker the rules were suspended and the bill ordered transmitted to the House immediately.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., January 17, 1905.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules, respectfully report the following joint rules for the Senate and House, for the session of 1905, and recommend their adoption:

REGULAR SESSION OF 1905.

COMMITTEE OF CONFERENCE AND FREE CONFERENCE.

RULE 1. In every case of an amendment of a bill, or joint or concurrent resolution, agreed to in one house, dissented from in the other,

and not receded from by the one making the same, such house shall appoint a committee to confer with a like committee to be appointed by the other, and the committee so appointed shall meet at a convenient hour, to be agreed upon by their respective chairmen, and shall confer upon the differences between the two houses as indicated by the amendment made in one and rejected in the other, and report as early as convenient the result of their conference to their respective houses. If after such a report the two houses shall disagree upon the recommendations of the reporting committees as to their differences between the two houses, a committee of free conference shall be appointed to whom the whole subject matter embraced in the bill or resolution shall be committed, and the committee of free conference may report by new bill or resolution, or otherwise, and bills or resolutions so reported shall be treated as amendments, unless such bills or resolutions are comprised entirely of original matter, in which case they shall receive the treatment required in the respective houses for original bills or resolutions, as the case may be.

MESSAGES.

RULE 2. Messages from the Senate to the House of Representatives shall be delivered by the secretary or assistant secretary, and messages from the House of Representatives to the Senate shall be delivered by the chief clerk or assistant clerk who shall be announced by the doorkeeper, enter within the bar, announce or deliver his message.

BILLS.

RULE 3. Each house shall communicate its final action on any bill, or resolution, or matter in which the other may be entrusted, in writing, signed by the secretary or clerk of the house from which such notice is sent.

RULE 4. After a bill shall have passed both houses, it shall be duly enrolled by the enrolling clerk of the house in which it originated, and shall be examined by the enrolling committee of such house, who shall carefully compare the enrollment with the engrossed bill, as passed, correcting any errors that may be discovered in the enrolled bill, procure in open session the signature thereto of the necessary officers of the two houses, present the same to the Governor, and forthwith report to such house the time when such presentation to the Governor was made. The enrolling clerk shall indorse upon the back of each bill the house in which said bill originated.

RULE 5. All joint resolutions to be presented to the Governor, excepting such as may be addressed to him, shall take the usual course of bills.

RULE 6. Each house shall transmit to the other papers on which any bill or resolution may be founded.

PRINTING.

RULE 7. The standing committees on printing of the two houses shall be a joint standing committee, who shall examine all matters pro-

posed to be printed by concurrent order, and shall report what part of such matter is needful to print. Each house may order the printing of bills introduced, reports of its own committees, and other matters pertaining to such house only; but no other printing shall be ordered except by a concurrent resolution passed by both houses. It shall be the duty of the secretary of the Senate and the clerk of the House to compare the bills introduced in each house and such bills as are introduced in both houses and are of the same wording shall only be printed in one house.

RESOLUTIONS.

RULE 8. Joint resolutions or memorials addressed to congress, or either house thereof, or to the President of the United States, or the head of any of the national departments, or proposing amendments to the State constitution, shall be treated in all respects as bills.

VETOES.

RULE 9. Bills which have passed a previous Legislature, and which are transmitted to the Legislature next sitting, accompanied by a message or statement of the Governor's disapproval, or veto of the same, shall become the subject of a special order; and when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disapproved or vetoed; and the message and bill shall be read by the clerk without interruption, consecutively, one following the other, and not upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the speaker is, "Shall the bill pass, notwithstanding the objections of he Governor?" It shall not be in order, any time, to vote upon such vetoed bill without the same shall have first been read, from the first word of its title to and including the last word of its final section; and no motion shall be entertained after the chair has stated the question save a motion for the "previous question," but the merits of the bill itself may be debated.

RULE 10. That the Senate bills in the House, and House bills in the Senate, be the special order on Wednesday of each week during the session.

RULE 11. All amendatory acts shall refer to the title of the act amended in full and date of approval. Committees shall amend or substitute all titles to conform to this rule.

Respectfully,

CHARLES E. COON, Chairman Senate Committee.

J. G. MEGLER, Chairman House Committee.

We concur in this report: Chas. S. Gleason, W. H. Hare, Geo. T. Reid, Joseph B. Lindsley, Peter McGregor, Chas. I. Roth, Geo. H. Baker, C. F. Clapp, J. J. Smith, Lincoln Davis.

On motion of Senator Clapp the report of Committee on Rules and Joint Rules was adopted.

VOTE FOR UNITED STATES SENATOR.

At 12 o'clock noon, the president announced that in accordance with the United States statutes, the Senate would proceed to nominate and vote for United States Senator for the State of Washington.

Senator Christian nominated Addison G. Foster, and the nomination was seconded by Senators Hammer, Wilson and Sharp.

Senator Henry nominated Charles Sweeny and the nomination was seconded by Senator Hutson.

Senator Tucker nominated Samuel H. Piles, the nomination being seconded by Senators Smith (S. T.) and Hunter.

Senator Ruth nominated John L. Wilson and the nomination was seconded by Senator Reed.

The secretary was ordered to call the roll, with the following result:

Addison G. Foster received 12 votes, as follows: Senators Bronson, Christian, Clapp, Davis, Hammer, Le Crone, Pogue, Sharp, Stewart, Sumner, Welsh, Wilson.

Samuel H. Piles received 11 votes, as follows: Senators Hemrich, Hunter, Kennedy, Kinnear, Palmer, Potts, Rands, Smith (J. J.), Smith (S. T.), Tucker, Van de Vanter.

Charles Sweeny received 8 votes, as follows: Senators Baker, Bratt, Brown, Henry, Hutson, Pauly, Stansell, Veness.

John L. Wilson received 5 votes, as follows: Senators Condon, O'Donnell, Reed, Ruth, Watson.

George Turner received 4 votes, as follows: Senators Earles, Graves, Moore, Rasher.

Samuel Cosgrove received 2 votes, as follows: Senators Boone and Russell.

On motion of Senator Tucker the Senate adjourned until 11 o'clock a. m. Wednesday, January 18th, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 18, 1905.
11 o'clock a. m.

The Senate was called to order at 11 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senator Graves, excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

On motion of Senator Henry the following resolution was adopted:

Resolved, **That the sergeant-at-arms be instructed to keep the main center door of the Senate chamber closed during sitting of the Senate.**

On motion of Senator Rands the following resolution was passed:

Resolved, **That the Senate employes be paid according to the schedule adopted by the last State Senate, pending the report of the Committee on Salaries and Mileage.**

Senate joint resolution No. 2, by Senator Rands, requesting Congress to expedite the work of building a canal between Celilo and The Dalles, etc.

On motion of Senator Rands the rules were suspended and the resolution placed on its final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell,

Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh and Wilson—40.

Those absent or not voting were: Senators Graves and O'Donnell.

On motion of Senator Rands the rules were suspended and the resolution ordered transmitted to the House immediately.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 18, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 9, entitled "An act making the drawing, or uttering, of a bank check or draft for the payment of money, without funds or credit to meet the same upon presentation, a felony," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 3, title of the printed bill, strike out the words "and declaring an emergency."

Strike out section 2 of the printed bill.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Wm. Hickman Moore, S. S. Russell, Charles T. Hutson, T. A. Hunter, O. A. Tucker, E. B. Palmer.

On motion of Senator Rands the report of the Committee on Judiciary on Senate bill No. 9 was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 18, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 12, entitled "An act providing for six judges of the superior court of the State of Washington, in and for King county," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 3, title of the printed bill, strike out the word "state" and substitute the word "general" therefor.

In line 4, title of the printed bill, strike out the word "state."

In line 4, section 2 of the printed bill, strike out the word "state" and substitute the word "general" therefor.

In line 4, section 3 of the printed bill, strike out the word "state."

In line 1, section 4 of the printed bill, strike out the word "now."

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Wm. Hickman Moore, S. S. Russell, O. A. Tucker, Walter Christian, Charles T. Hutson, T. A. Hunter, E. B. Palmer.

On motion of Senator Rands the report of the Judiciary Committee on Senate bill No. 12 was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 18, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 21, entitled "An act providing for a superior judge for the county of Kitsap, in the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 1, title of the printed bill, strike the words "Providing for a superior judge for the county of Kitsap, in the State of Washington," and substitute the words "Relating to the superior court of Snohomish and Kitsap counties, providing for the election of judges therein," therefor.

In line 2, section 2 of the printed bill, strike out the word "court."

In line 2, section 3 of the printed bill, strike the word "court." In line 3, section 3 of the printed bill, strike the word "court." In line 4, section 3 of the printed bill, strike the figure "7" and substitute the figure "9" therefor.

Strike out section 4 of the printed bill.

Make section 5 of the printed bill section 4. In line 2, section 5 of the printed bill, strike the word "court." In line 3, section 5 of the printed bill, strike the word "court."

Make section 6 of the printed bill section 5. In line 1, section 6 of the printed bill, strike the words "person to serve as" and substitute the word "judge" therefor.

Make section 7 of the printed bill section 6. In line 1, section 7 of the printed bill strike the words "is hereby declared to exist" and substitute the word "exists" therefor.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Wm. Hickman Moore, S. S. Russell, Walter Christian, Chas. T. Hutson, T. A. Hunter, O. A. Tucker, E. B. Palmer.

On motion of Senator Rands the report of the Committee on Judiciary on Senate bill No. 21 was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 17, 1905.

MR. PRESIDENT:

We, your Committee on Senate Employes, do recommend the employment of George Gregory as minute clerk, C. B. Wood as docket clerk, J. T. Jones as night messenger, and A. F. Haynes, Robert Taylor and J. B. Hagins as janitors.

Respectfully submitted.

J. A. VENESS, Chairman.

We concur: A. S. Ruth, W. G. Potts, Jno. Earles, E. B. Palmer.

On motion of Senator Tucker the report of the Committee on Senate Employes was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 18, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 5, entitled "An act amending the libel bill."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 18, 1905.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 9, thanking the people of Seattle for their hospitality.

Also House concurrent resolution No. 3, relative to the death of the late G. B. Gunderson.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

GROUPING OF COMMITTEES, ASSIGNMENT OF COMMITTEE CLERKS AND COMMITTEE ROOMS.

We, your Committee, to whom was referred the Grouping of the Senate Committees, the Assignment of Committee Clerks and the Assignment of the Rooms to be used by said Committees, beg leave to report as follows:

Group 1—Judiciary—W. V. Tanner, clerk; room No. 14.

Group 2—Public Revenue and Taxation, Congressional Districts, and State, Granted School and Tide Lands—Frank Kennedy, clerk; room No. 2.

Group 3—Appropriations—J. C. MacInnes, clerk; room No. 7.

Group 4—Education, Printing, State Library, and Public Morals—Geo. Race, clerk; room No. 8.

Group 5—Fisheries, Dykes, Drains and Drainage, and Cities of the First Class—J. E. Dalton, clerk; room No. 12.

Group 6—Railroads and Transportation—G. B. Hunt, clerk; room No. 13.

Group 7—Corporations other than Municipal, Dairy and Livestock, and Salaries and Mileage—John E. Dobbs, clerk; room No. 8.

Group 8—Irrigation and Arid Lands, Agriculture, and Memorials—W. M. Olive, clerk; room No. 13.

Group 9—Constitution and Constitutional Revision, Banks and Banking, and Military—G. R. Blair, clerk; room No. 11.

Group 10—State Penal and Reformatory Institutions, State Charitable Institutions, and Public Buildings and Grounds—John E. Reese, clerk: room No. 12.

Group 11—Manufactures, Commerce, Labor and Labor Statistics—Than Kelly, clerk; room No. 2.

Group 12—Harbors and Harbor Lines, Mines and Mining, and Miscellaneous—H. R. Crozier, clerk; room No. 6.

Group 13—Counties and County Boundaries, Horticulture and Forestry, and Senate Employes other than Regular—Joseph Steiner, clerk; room No. 12.

Group 14—Elections and Privileges, Medicine, Dentistry, Surgery and Hygiene, and Roads and Bridges—I. E. Wilson, clerk; room No. 11.

Group 15—Claims and Auditing, Educational Institutions, and Municipal Corporations—W. E. Elwell, clerk; room No. 11.

Group 16—Rules and Joint Rules—Secretary to President, W. H. Bennett, clerk; room No. 10.

Typewriters and extra duty clerks—Geo. W. Taylor, R. A. Watrous, A. H. Harris, and Marvin Arnold.

Respectfully submitted.

E. M. RANDS, Chairman.

We concur: Wm. Hickman Moore, W. E. Bronson.

On motion of Senator Rands the report of the Grouping Committee was adopted.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 18, 1905.

MR. PRESIDENT:

The House has passed vetoed Senate bill No. 85, appropriating $450.39 for the relief of the Puget Sound Sawmill and Shingle Co.

Also vetoed Senate bill No. 169, appropriating $2000 for the relief of E. G. Bickerton.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 49, by Joint Committee on Judiciary: An act to increase the number of judges of the supreme court of Washington.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 50, by Senator Tucker: An act defining certain misdemeanors, and providing punishment, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 51, by Senator Russell: An act providing for a certain State wagon road, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Russell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate bill No. 52, by Senator Wilson: An act making an appropriation for the improvement of the agricultural college, etc.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 53, by Senator Wilson: An act to change the name of the agricultural college, etc.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Educational Institutions.

Senate bill No. 54, by Senator Palmer: An act to appropriate funds for the payment of mileage of the presidential electors of the State of Washington, etc.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Claims and Auditing.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 18, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 49, entitled "An act to increase the number of judges of the supreme court of the State of Washington, relating to the powers of said court, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, S. S. Russell, Charles T. Hutson, Walter Christian, John T. Welsh, O. A. Tucker, R. M. Kinnear, T. A. Hunter.

On motion of Senator Moore the report was adopted.

On motion of Senator Moore, the rules were suspended, Senate bill No. 49 was given its third reading, considered engrossed and placed on final passage.

The secretary called the roll and the bill passed by the following vote:

Those voting yea were: Senators Boone, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh and Wilson—37.

Those voting nay were: Senators Baker, Bratt and Sharp—3.

Absent or not voting: Senator Graves—1.

The emergency clause in Senate bill No. 49 was passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell,

Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—39.

Those voting nay were: Senators Baker, O'Donnell—2.

Absent or not voting: Senator Graves—1.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Moore, the rules were suspended and the bill transmitted to the House immediately.

On motion of Senator Welsh, Senate adjourned to meet the House in joint session for the purpose of balloting for United States senator.

JOINT SESSION.

The sergeant-at-arms announced the arrival of the honorable senators at the door of the House, and the speaker invited the senators to seats within the House.

At the request of the speaker, the president of the Senate presided over the joint body.

The secretary of the Senate called the Senate roll, all members being present except Senator Graves.

The clerk of the House called the House roll, all members being present.

The secretary of the Senate read that portion of the Senate journal of the preceding day, relating to the ballot for United States senator.

The reading clerk of the House read that portion of the journal of the preceding day, relative to the ballot for United States Senator.

From the reading of the journals of each house it appeared that no person had received a majority of the ballots cast in each house; therefore there had been no election.

FIRST JOINT BALLOT.

The joint roll call of the Senate and House was called and resulted as follows:

Forty-four senators and representatives voted for Addison G. Foster.

Thirty-three senators and representatives voted for Samuel H. Piles.

Twenty-seven senators and representatives voted for Charles Sweeny.

Fifteen senators and representatives voted for John L. Wilson.

Seven senators and representatives voted for George Turner.

Four senators and representatives voted for Wesley L. Jones.

Five senators and representatives voted for Samuel G. Cosgrove.

Those voting for Addison G. Foster were: Messrs. Bartlett, Bassett, Bishop, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Geo. L. Davis, Lincoln Davis, Eidemiller, Fenton, Fulton, Griffin, Hamilton, Hammer, Hughes, Lee A. Johnson, Lambert, LeCrone, Levin, McCoy, McNicol, Melcher, Miller, Minard, Moldstad, Olsen, Pogue, Poyns, George T. Reid, Roberts, Rudene, Sharp, Sheets, Shultz, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson, and Mr. Speaker—44.

Those voting for Samuel H. Piles were: Messrs. Blackmore, Blaker, Booth, W. W. Brown, Clarke, Dawes, Dobson, Ericksen, Gleason, Hemrich, Henderson, Houston, Hunter, Irving, Kennedy, Keyes, Kinnear, Lyons, McVay, Morrill, Palmer, Potts, Rands, Renick, Smith (Dr. J. J.), Smith (S. T.), Theurer, Todd, Tucker, Twichell, Van de Vanter, Vilas, and Weir—33.

Those voting for Charles Sweeny were: Messrs. Allen, Baker, Bowers, Bratt, Dr. C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, McGregor, Pauly, Ratcliffe, Reiter, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, and Weber—27.

Those voting for John L. Wilson were: Messrs. Benn, Condon, D. J. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Roth, Ruth, Strobridge, Vogtlin, and Watson—15.

Those voting for George Turner were: Messrs. Ayer, Earles, Harper, Maloney, Moore, Rasher, and Weatherford—7.

Those voting for Samuel G. Cosgrove were: Messrs. Boone, Kenoyer, Long, Russell, and Stilson—5.

Those voting for Wesley L. Jones were: Messrs. Bolinger, Dickson, Hare, and Williams—4.

On motion of Senator Davis the joint session dissolved at 12:20 o'colck p. m.

The Senate reconvened at 12:25 o'clock p. m., and on motion of Senator Palmer adjourned until 11 o'clock a. m. Thursday, January 19, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

ELEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 19, 1905.
11 o'clock a. m.

The Senate was called to order at 11 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. J. M. Hayes offered prayer.

The secretary called the roll; all members being present except Senator Graves, excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

On motion of Senator Rands the following resolution was adopted:

Resolved, That the sergeant-at-arms be and hereby is authorized to keep the aisles and all space in rear of members' desks at the back of the floor of this chamber clear at all times; that persons other than members desiring to remain upon the floor of the Senate chamber shall be seated during the sittings of this body.

On motion of Senator Clapp the following resolution was adopted:

Resolved, That the privileges of the Senate chamber and the courtesies of the Senate be extended to the following accredited members of the press in attendance at this session:

E. W. Wright, representing Portland Oregonian.

James Brown, representing Post-Intelligencer.

M. M. Mattison, representing Seattle Times.

Will Windom, representing Seattle Star.
F. P. Goss, representing Tacoma Ledger.
W. A. Rupp, representing Tacoma News.
D. K. Larimer, representing Spokesman-Review.
G. B. Hunt, representing Spokane Press.
Paul Hedrick, representing Puget Sound News Bureau.
Roy O. Hadley, representing Bellingham Herald.
Roderick Sprague, representing Olympia Recorder.
R. G. Callvert, representing Associated Press.
Mrs. G. A. Blankenship, representing Seattle Times.
W. J. Raymond, representing Post-Intelligencer.
E. S. Reynolds, representing Tacoma Ledger (artist).
Harry Murphy, representing Portland Oregonian (sketch artist).
L. G. Hager, representing Post-Intelligencer (artist).
Dan Dean, representing Scrip's Newspaper League.
D. W. King, representing Morning Olympian.
E. L. Reber, representing Seattle Times.
J. Howard Watson.

Be it further resolved, That the secretary of the Senate be instructed to add to the above list the names of such other duly accredited newspaper correspondents as may be doing regular work for the daily press of the State during the session.

On motion of Senator Boone, it was ordered that 250 additional copies of Senate bill No. 7 be printed.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 19, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 9, entitled "An act making the drawing of a check without credit to meet the same, a felony," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted. J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, R. W. Condon, W. E. Bronson.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 18, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 49, entitled "An act providing for increase in supreme court."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 19, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill 49, entitled "An act increasing the number of supreme court judges."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 19, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 12, entitled "An act providing for appointment of an additional judge of King county," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, R. W. Condon, W. E. Bronson.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 19, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 21, entitled "An act relating to the superior court of Snohomish and Kitsap counties," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, R. W. Condon, W. E. Bronson.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 19, 1905.

MR. PRESIDENT:

The House has passed Senate joint resolution No. 1, urging co-operation with President Roosevelt in matter of interstate commerce commission.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 18, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 5, entitled "An act repealing chapter LIX, Session Laws of 1899," etc., have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

WM. HICKMAN MOORE.
H. RASHER.
O. A. TUCKER.
W. E. BRONSON.

Senate bill No. 5 was signed by the president.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 19, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 5, entitled "An act repealing the libel law and declaring an emergency."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 19, 1905.

MR. PRESIDENT:

The House has passed Senate joint resolution No. 2, relating to improvement of the Columbia river.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 18, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 15, entitled "An act providing for the exhibition of products of the State of Washington at the fair at Portland in 1905," etc., and declaring an emergency, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 4 of section 1 of the printed bill, strike out word "board" and insert in lieu thereof the word "commission."

In line 2 of section 2 of printed bill, strike out word "board" and in lieu thereof insert the word "commission."

In line 2 of section 3 of printed bill, strike out word and figure "ten (10)" and in lieu thereof insert the word and figure "five (5)."

In line 4 of section 3 of printed bill, strike out from "They shall," etc., to end of section, and in lieu thereof insert the following:

"They shall fix the salaries of all persons employed by them in collecting, installing, and displaying the exhibit herein provided for, such salaries to be paid out of the fund hereafter appropriated. They shall cause to be kept double entry accounts together with complete vouchers covering every financial transaction involving the disbursement of the fund hereinafter appropriated, and at the close of the exposition period shall report to the Governor of the State of Washington a complete summary of their administration, and detailed statement of disbursements made. They shall appoint an executive commissioner who shall be a citizen of the State of Washington. The said executive commissioner shall be and is hereby authorized and empowered to assume and exercise all powers and functions necessary to secure, install, maintain a complete and creditable display of the resources, products and interests of the State of Washington at the said exposition. The said executive commissioner shall have direct charge of the solicitation, collection, transportation, installation and exhibition of all materials sent under authority of the State to the said exposition, and during the term of his office shall have authority over the employes and assistants engaged in assembling, installing and displaying the said exhibit. He shall make report to the commission as often as required, and shall hold office at the pleasure of the said commission. The said executive commissioner shall be required to furnish a surety company bond in favor of the treasurer of the State of Washington, to be approved by the said commission, in the sum of ten thousand dollars ($10,000), or such greater sum as the commission may require."

Strike out section 5.

Change section 6 to section 5.

Change section 7 to section 6.

Strike out section 8.

Change section 9 to section 7.

Change section 10 to section 8.

Change section 11 to section 9.

Change section 12 to section 10.

Change section 13 to section 11.

GEO. H. BAKER, Cairman.

We concur in this report: E. M. Rands, T. B. Sumner, C. F. Clapp, C. L. Stewart, E. Hammer, G. B. Wilson, H. Rasher, C. A. Veness, O. A. Tucker, T. A. Hunter.

On motion of Senator Baker the report of the Committee on Appropriations on Senate bill No. 15 was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 55, by Senator Reed: An act to provide for the establishment and maintenance of a branch of the state soldiers' home, etc.

The bill was read the first time, and on motion of Senator Reed the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Military.

Senate bill No. 56, by Senator Watson: An act amending section 1 of chapter 140 of the Laws of 1901, and amending section 4391 of Ballinger's Annotated Codes and Statutes, etc.

The bill was read the first time, and on motion of Senator Watson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 57, by Senator Pogue: An act for the relief of John H. Willms, etc.

The bill was read the first time, and on motion of Senator Pogue the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State, Granted, School and Tide Lands.

Senate bill No. 58, by Senator Tucker: An act to provide for the publication and sale of the Reports of the Supreme Court of the State of Washington.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

GENERAL FILE.

Engrossed Senate bill No. 9 was given its third reading and on motion of Senator Potts, placed on its final passage.

The secretary called the roll and the bill was passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Clapp, Condon, Davis, Earles, Hemrich, Hunter, Hutson,

Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—35.

Those voting nay were: Senators Brown, Christian, Hammer, Henry, Sumner—5.

Those absent or not voting were: Senator Graves, Kinnear—2.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed Senate bill No. 12 was given its third reading and upon motion of Senator Moore the word "State" was stricken out in line 1 of section 3.

The bill was placed on final passage on motion of Senator Moore and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—38.

Those absent or not voting were: Senators Baker, Graves, Kinnear, Sharp—4.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators Graves, Kinnear, Le Crone, Sharp, Stewart—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed Senate bill No. 21 was given its third reading and on motion of Senator Condon recommitted to the Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., January 17, 1905.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, beg leave to report that George Gregory and C. B. Wood were regularly sworn in as minute clerk, stenographer and docket clerk at the opening of the session, and we recommend that they be paid at the regular per diem for services performed.

Respectfully submitted.

A. L. WATSON, Chairman.

We concur in this report: Lincoln Davis, C. G. Brown, A. T. Van de Vanter.

On motion of Senator Watson the report was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 19, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 49, entitled "An act to increase the number of judges of the supreme court of the State of Washington, relating to the powers of said court, and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: O. A. Tucker, Wm. Hickman Moore, C. G. Brown, H. Rasher.

Senate bill No. 49 was signed by the president.

At 12 o'clock noon the Senate adjourned to the House to ballot for United States senator.

JOINT SESSION.

The joint session met at 12 o'clock noon and was called to order by the president of the Senate.

The secretary called the roll of the Senate, all members being present except Senator Graves, excused.

The clerk of the House called the roll of the House, all members being present except Mr. Reiter, excused.

The minutes of the joint session of the preceding day were read and approved.

The president announced that there was no election of United States Senator at the last joint session and instructed the secretary to call the roll for the second joint ballot.

SECOND JOINT BALLOT.

The roll was called on the second joint ballot and resulted as follows:

Addison G. Foster received forty-four votes.
Samuel H. Piles received thirty-three votes.
Charles Sweeny received twenty-six votes.
John L. Wilson received sixteen votes.
Wesley L. Jones received eight votes.
Alden J. Blethen received seven votes.

Those voting for Addison G. Foster were: Bartlett, Bassett, Bishop, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Geo. L. Davis, Lincoln Davis, Eidemiller, Fenton, Fulton, Griffin, Hamilton, Hammer, Hughes, Lee A. Johnson, Lambert, LeCrone, Levin, McCoy, McNicol, Melcher, Miller, Minard, Moldstad, Olsen, Pogue, Poyns, George T. Reid, Roberts, Rudene, Sharp, Sheets, Shultz, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson, and Mr. Speaker—44.

Those voting for Samuel H. Piles were: Blackmore, Blaker, Booth, W. W. Brown, Clarke, Dawes, Dobson, Ericksen, Gleason, Hemrich, Henderson, Houston, Hunter, Irving, Kennedy, Keyes, Kinnear, Lyons, McVay, Morrill, Palmer, Potts, Rands, Renick, Smith (Dr. J. J.), Smith (S. T.), Theurer, Todd, Tucker, Twichell, Van de Vanter, Vilas, and Weir—33.

Those voting for Charles Sweeny were: Allen, Baker, Bowers, Bratt, Dr. C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, McGregor, Pauly, Ratcliffe, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, and Weber—26.

Those voting for John L. Wilson were: Benn, Condon, D. J. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Roth, Russell, Ruth, Strobridge, Vogtlin, and Watson—16.

Those voting for Wesley L. Jones were: Bolinger, Boone, Dickson, Hare, Kenoyer, Long, Stilson, and Williams—8.

Those voting for Alden J. Blethen were: Ayer, Earles, Harper, Malony, Moore, Rasher, and Weatherford—7.

At 12 p. m., on motion of Senator Tucker, the joint session dissolved.

The Senate reconvened at 12:25 p. m.

On motion of Senator Kinnear the following resolution was adopted:

WHEREAS, J. B. Hagins and A. F. Haynes were employed and have been performing the services of assistant janitors, J. B. Hagins since the first day of the session and A. F. Haynes since the second day of the session; therefore be it

***Resolved*, That the pay of said employes date from January 9th and 10th respectively, 1905, at the regular salary.**

On motion of Senator Baker a recess was taken until 1:45 this afternoon.

AFTERNOON SESSION.

The president called the Senate to order at 1:45 o'clock p. m.

The secretary called the roll; all members being present except Senator Graves, excused.

The hour of 2 o'clock p. m. having arrived, the president announced the services in connection with the unveiling of the statute of the late Governor Rogers would take place at the west entrance of the capitol building.

At 2:10 o'clock p. m., on motion of Senator Baker, Senate adjourned until 11 o'clock a. m. Friday, January 20, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWELFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 20, 1905.
11 o'clock a. m.

Senate was called to order at 11 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. D. M. Montgomery offered prayer.

The secretary called the roll; all members being present except Senator Graves, excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.
OLYMPIA, WASH., January 20, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 15, entitled "An act providing for the exhibition of products of the State of Washington at the fair at Portland," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. ROGUE, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, W. E. Bronson, R. W. Condon.

On motion of Senator Condon, House concurrent resolution No. 3 was adopted, as follows:

WHEREAS, The late Hon. G. B. Gunderson for the past three legislative sessions served with great honor and distinction as Mason county's representative, and,

WHEREAS, He always took a fearless stand for honorable and right measures, and,

WHEREAS, He, as such representative, performed great and lasting service to the State and especially to its public schools; therefore

Be it resolved by the House, the Senate concurring, That in the death of Hon. G. B. Gunderson the people of the State of Washington have lost a loyal citizen and a faithful legislator; and be it further

Resolved, That in honor to his memory we direct that a copy of these resolutions be spread upon the minutes of the House and Senate and an enrolled copy transmitted to the family of the deceased.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., January 19, 1905.

To the Senate:

I am directed by the Governor to inform you that he has this day approved the following measures:

Senate bill No. 5, entitled: An act repealing chapter LIX, Session Laws of 1899, same being an act entitled "An act relating to the law of libel and providing opportunity of retraction of libels," and declaring an emergency.

And Senate bill No. 49, entitled: An act to increase the number of judges of the supreme court of the State of Washington, relating to the powers of said court, and declaring an emergency.

A. N. BROWN, Private Secretary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 20, 1905.

MR PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate joint resolution No. 1, relative to enlarging and strengthening the powers of the interstate commerce commission, that railroads and common carriers may be brought under proper control, have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: O. A. Tucker, Wm. Hickman Moore, H. Rasher, C. G. Brown.

SENATE CHAMBER,
OLYMPIA, WASH., January 20, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate joint resolution No. 2, Whereas, the United States in aid of the navigation of the Columbia river, has authorized the improvement of the Columbia river between the foot of the Dalles rapids and the head of Celilo falls,

by means of canals and the improvement of the channel of said river, by an act of congress approved June 13, 1902, have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: O. A. Tucker, Wm. Hickman Moore, H. Rasher, C. G. Brown.

INTRODUCTION OF BILLS.

Senate bill No. 59, by Senator Clapp: An act for the incorporation of associations, societies and clubs, defining their powers, etc.

The bill was read the first time, and on motion of Senator Clapp the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 60, by Senator Tucker: An act donating to the city of Seattle all the shore lands and water of Green lake, in the city of Seattle, King county, State of Washington.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State, Granted, School and Tide Lands.

Senate bill No. 61, by Senator Kinnear: An act to prevent incompetent persons from conducting, engaging in, or working at the business of plumbing within the State of Washington, and providing for and creating a state board of examiners to regulate and enforce the same and providing for a penalty for any violation thereof.

The bill was read the first time, and on motion of Senator Kinnear the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 62, by Senator Kinnear: An act to fix the compensation of the regimental commander of the national guard of Washington.

The bill was read the first time, and on motion of Senator Kinnear the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Military.

Senate bill No. 63, by Senator Kinnear: An act to amend section 3522, chapter 5 of Ballinger's Annotated Codes and

Statutes of Washington, relating to liability of trespass by animals.

The bill was read the first time, and on motion of Senator Kinnear the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Agriculture.

Senate joint memorial No. 6, by Senator Pogue: Memorializing congress, and relating to certain irrigation projects, etc.

The memorial was read the first time, and on motion of Senator Pogue the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials.

The president signed Senate joint resolutions Nos. 1 and 2.

GENERAL FILE.

On motion of Senator Smith, J. J., the Senate resolved itself into a committee of the whole to consider Senate bill No. 15.

The bill was considered in committee of the whole, Senator Smith, J. J. in the chair, and Senate bill No. 15 was reported back to the Senate with the recommendation that it do pass with the following amendment:

Insert after the word "Washington," in the twenty-eighth line of section 3 of the engrossed bill, the following: "Conditioned that he will faithfully perform all the duties appertaining to his office and will faithfully account for all funds coming into his hands as such executive commissioner."

On motion of Senator Smith, J. J., the report was adopted.

On motion of Senator Rands, the reading of the bill in the committee of the whole was considered its third reading, the rules were suspended, the bill considered engrossed and placed upon its final passage.

The secretary called the roll and the bill was passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (Dr. J. J), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—36.

Those voting nay were: Senators Boone, Palmer, Ruth, Sharp —4.

Those absent or not voting were: Senators Graves, Kinnear—2.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Sharp, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—40.

Senator Palmer voted nay.

Absent or not voting: Senator Graves—1.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands the rules were suspended and the bill ordered transmitted to the House immediately.

At 12 o'clock noon the Senate adjourned to the House to ballot for United States senator.

JOINT SESSION.

The joint session was called to order at 12 o'clock noon by President Coon.

The secretary of the Senate called the roll, all members of the Senate being present except Senator Graves, excused.

The clerk of the House called the roll of the House, all members being present except Mr. Reiter, excused.

The journal of the joint session of yesterday was read and approved.

The president announced that no election of United States Senator had been made at the joint session and the secretary was instructed to call the third joint ballot, and which resulted as follows:

THIRD JOINT BALLOT.

Addison G. Foster received forty-four votes.
Samuel H. Piles received thirty-three votes.
Charles Sweeny received twenty-six votes.

John L. Wilson received sixteen votes.
Wesley L. Jones received eight votes.
M. M. Godman received seven votes.

Those voting for Addison G. Foster were: Bartlett, Bassett, Bishop, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Geo. L. Davis, Lincoln Davis, Eidemiller, Fenton, Fulton, Hamilton, Hammer, Hughes, Lee A. Johnson, Keyes, Lambert, LeCrone, Levin, McCoy, McNicol, Melcher, Miller, Minard, Moldstad, Olsen, Pogue, Poyns, Geo. T. Reid, Roberts, Rudene, Sharp, Sheets, Shultz, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson, and Mr. Speaker—44.

Those voting for Samuel H. Piles were: Blackmore, Blaker, Booth, W. W. Brown, Clarke, Dawes, Dobson, Ericksen, Gleason, Griffin, Hemrich, Henderson, Houston, Hunter, Irving, Kennedy, Kinnear, Lyons, McVay, Morrill, Palmer, Potts, Rands, Renick, Smith (Dr. J. J.), Smith (S. T.), Theurer, Todd, Tucker, Twichell, Van de Vanter, Vilas, and Weir—33.

Those voting for Charles Sweeny were: Allen, Baker, Bowers, Bratt, Dr. C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, McGregor, Pauly, Ratcliffe, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, and Weber—26.

Those voting for John L. Wilson were: Benn, Condon, D. J. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Roth, Russell, Ruth, Strobridge, Vogtlin, and Watson—16.

Those voting for Wesley L. Jones were: Bolinger, Boone, Dickson, Hare, Kenoyer, Long, Stilson, and Williams—8

Those voting for M. M. Godman were: Ayer, Earles, Harper, Maloney, Moore, Rasher, and Weatherford—7.

Absent or not voting: Graves, Reiter—2.

No candidate having received a majority of all votes cast, the president instructed the secretary to call the roll for the

FOURTH JOINT BALLOT.

Addison G. Foster received forty-six votes.
Samuel H. Piles received thirty-three votes.
Charles Sweeny received twenty-seven votes.

John L. Wilson received sixteen votes.
Wesley L. Jones received seven votes.
M. M. Godman received five votes.

Those voting for Addison G. Foster were: Bartlett, Bassett, Bishop, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Geo. L. Davis, Lincoln Davis, Earles, Eidemiller, Fenton, Fulton, Hamilton, Hammer, Harper, Hughes, Lee A. Johnson, Keyes, Lambert, LeCrone, Levin, McCoy, McNicol, Melcher, Miller, Minard, Moldstad, Olsen, Pogue, Poyns, George T. Reid, Roberts, Rudene, Sharp, Sheets, Shultz, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson, and Mr. Speaker—46.

Those voting for Samuel H. Piles were: Blackmore, Blaker, Booth, W. W. Brown, Clarke, Dawes, Dobson, Ericksen, Gleason, Griffin, Hemrich, Henderson, Houston, Hunter, Irving, Kennedy, Kinnear, Lyons, McVay, Morrill, Palmer, Potts, Rands, Renick, Smith (Dr. J. J.), Smith (S. T.), Theurer, Todd, Tucker, Twichell, Van de Vanter, Vilas, and Weir—33.

Those voting for Charles Sweeny were: Allen, Baker, Bowers, Bratt, Dr. C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, Long, McGregor, Pauly, Ratcliffe, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, and Weber—27.

Those voting for John L. Wilson were: Benn, Condon, D. J. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Roth, Russell, Ruth, Strobridge, Vogtlin, and Watson—16.

Those voting for Wesley L. Jones were: Bolinger, Boone, Dickson, Hare, Kenoyer, Stilson, and Williams—7.

Those voting for M. M. Godman were: Ayer, Maloney, Moore, Rasher, and Weatherford—5.

Absent or not voting: Graves and Reiter—2.

No candidate having received a majority of all the votes cast the president instructed the secretary to call the roll for the

FIFTH JOINT BALLOT.

Addison G. Foster received forty-four votes.
Samuel H. Piles received thirty-four votes.
Charles Sweeny received twenty-seven votes.

John L. Wilson received seventeen votes.

Wesley L. Jones received seven votes.

M. M. Godman received five votes.

Those voting for Addison G. Foster were: Bartlett, Bassett, Bishop, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Lincoln Davis, Eidemiller, Fenton, Fulton, Hamilton, Hammer, Harper, Hughes, Lee A. Johnson, Keyes, Lambert, LeCrone, Levin, McCoy, McNicol, Melcher, Miller, Minard, Moldstad, Olsen, Pogue, Poyns, George T. Reid, Roberts, Rudene, Sharp, Sheets, Shultz, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson, and Mr. Speaker—44.

Those voting for Samuel H. Piles were: Blackmore, Blaker, Booth, W. W. Brown, Clarke, Dawes, Dobson, Earles, Ericksen, Gleason, Griffin, Hemrich, Henderson, Houston, Hunter, Irving, Kennedy, Kinnear, Lyons, McVay, Morrill, Palmer, Potts, Rands, Renick, Smith (Dr. J. J.), Smith (S. T.), Theurer, Todd, Tucker, Twichell, Van de Vanter, Vilas, and Weir—34.

Those voting for Charles Sweeny were: Allen, Baker, Bowers, Bratt, Dr. C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, Long, McGregor, Pauly, Ratcliffe, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, and Weber—27.

Those voting for John L. Wilson were: Benn, Condon, D. J. Davis, Geo. L. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Roth, Russell, Ruth, Strobridge, Vogtlin, and Watson—17.

Those voting for Wesley L. Jones were: Bolinger, Boone, Dickson, Hare, Kenoyer, Stilson, and Williams—7.

Those voting for M. M. Godman were: Ayer, Maloney, Moore, Rasher, and Weatherford—5.

Absent or not voting: Graves, Reiter—2.

On motion of Senator Rands the joint session dissolved at 12:35 o'clock p. m.

Senate reconvened at 12:40 o'clock p. m. and on motion of Senator Baker adjourned until 11:50 a. m. Saturday, January 21, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, January 21, 1905.
11:50 o'clock a. m.

Senate was called to order at 11:50 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. F. K. Howard offered prayer.

The secretary called the roll; all members being present except Senators Clapp, Davis, Hemrich, Hutson, Le Crone, Kinnear, Palmer, Sharp, Smith (S. T.), Sumner, Tucker, Van de Vanter, Veness, Watson, and Senator Graves, excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

Senate concurrent resolution No. 10, by Senator Russell, was adopted, as follows:

Be it resolved by the Senate, the House concurring, That whereas, The Legislature of the State of Washington has been in session two weeks and the announcement of the several committees has been made for more than one week; and

WHEREAS, Since the time of the convening of the Legislature there has been inaugurated into the executive chair of the State, a man who is wise in council, fearless in the execution of his duties, and faithful in the promises made to his people; and

WHEREAS, There have been numerous requests made from all parts of the State for the enactment of legislation providing for the appointment of a railroad commission, and assurances have been made that such legislation would be enacted; and

WHEREAS, The Governor in his message to the Legislature recommended the enactment of such legislation, and expressed a willingness to sign such a measure and to appoint such a commission; and

WHEREAS, Among the first bills introduced at this session were bills providing for the establishment of such commission and the appointment of such commissioners; and

WHEREAS, Notwithstanding these facts there has been no call for a joint meeting of the committees to which these bills have been referred; therefore be it

Resolved by the Senate, the House concurring, That the Committee on Railroads and Transportation of each department of this body be instructed to meet in joint session not later than Tuesday of next week for the purpose of considering the various measures referre dto them to the end that the promises made our constituents may not be regarded as political promises and the Legislature appear negligent of its duty.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 21, 1905.

MR. PRESIDENT:

The speaker has signed Senate joint resolution No. 2, relating to the improvement of the Columbia river, etc.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

The hour of 12 o'clock noon having arrived the Senate adjourned to the House to ballot for United States senator.

JOINT SESSION.

At 12:00 o'clock noon the joint session was called to order by the president of the Senate.

The secretary of the Senate called the Senate roll, all members being present except Senators Clapp, Davis, Graves, Hemrich, Hutson, Kinnear, Le Crone, Palmer, Sharp, Smith (S. T.), Sumner, Tucker, Van de Vanter, Veness, all excused.

The clerk of the House called the roll of the House, all members being present except Messrs. Bartlett, Bishop, Irving, Lyons, Miller, Morrill, Reiter, Roth, Shultz, all excused.

The journal of yesterday's joint session was read and approved. The president announced that there was no election of United States Senator at the last joint ballot, and instructed the secretary to call the joint roll for the sixth joint ballot.

SIXTH JOINT BALLOT.

Addison G. Foster received twenty-nine votes.
Samuel H. Piles received twenty-four votes.
Charles Sweeny received twenty-four votes.

John L. Wilson received fourteen votes.

Wesley L. Jones received seven votes.

Charles Vorhees received seven votes.

Those voting for Addison G. Foster were: Messrs. Bassett, Bradley, Bronson, Christian, Crandall, Eidemiller, Fenton, Fulton, Hamilton, Lee A. Johnson, Keyes, Lambert, Levin, McCoy, Melcher, Minard, Moldstad, Olsen, Pogue, Poyns, Geo. T. Reid, Roberts, Rudene, Sheets, Smith (E. E.), Van Slyke, Welsh, Wilson, and Mr. Speaker—29.

Those voting for Samuel H. Piles were: Messrs. Blackmore, Blaker, Booth, W. W. Brown, Clarke, Dawes, Dobson, Ericksen, Gleason, Griffin, Henderson, Houston, Hunter, Kennedy, McVay, Potts, Rands, Renick, Smith (J. J.), Theurer, Todd, Twichell, Vilas, Weir—24.

Those voting for Charles Sweeny were: Messrs. Allen, Bowers, Bratt, C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, Long, McGregor, Pauly, Ratcliffe, Rudio, Scott, Stansell, Stevenson, Ulsh, Weber—24.

Those voting for John L. Wilson were: Messrs. Benn, D. J. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Russell, Ruth, Strobridge, Vogtlin, Watson —14.

Those voting for Wesley L. Jones were: Messrs. Bolinger, Boone, Dickson, Hare, Kenoyer, Stilson, Williams—7.

Those voting for Charles S. Voorhees were: Messrs. Ayer, Earles, Harper, Maloney, Moore, Rasher, Weatherford—7.

Absent or not voting: Senator Graves.

Senator Condon paired with Senator Davis.

Senator Baker paired with Senator Van de Vanter.

Senator Hemrich paired with Senator LeCrone.

Senator S. T. Smith paired with Senator Sumner.

Senator Sharp paired with Senator Palmer.

Senator Tucker paired with Senator Stewart.

Senator Hutson paired with Senator Clapp.

Senator Kinnear paired with Senator Hammer.

Senator Veness paired with Mr. Miller.

Mr. Shultz paired with Mr. Lyons.

Mr. Morrill paired with Mr. Bartlett.

Mr. Irving paired with Mr. McNicol.
Mr. Geo. L. Davis paired with Mr. Bishop, Jr.
Mr. Hughes paired with Mr. Reiter.
Mr. Byerly paired with Mr. Roth.

On motion of Senator Christian the joint session was dissolved at 12:20 o'clock p. m.

The Senate reconvened at 12:25 p. m. and on motion of Senator Rands adjourned until 11 o'clock a. m. Monday, January 23, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 23, 1905.
11 o'clock a. m.

The Senate was called to order at 11 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. Richard H. Massey offered prayer.

The secretary called the roll, all members being present except Senators Graves and Sharp, who were excused.

The following communication was received:

TACOMA, WASH., January 19, 1905.

To the Honorable President and Senators of the Legislature of the State of Washington:

HONORED SIRS: At the last session of the Puget Sound Annual Conference of the Methodist Episcopal church, held at Montesano, Wash., Sept. 7-14, 1904, the following resolution was unanimously adopted:

"*Resolved*, That we heartily endorse the action of the Columbia River Conference in petitioning our State Legislature for an amendment to the Constitution of our State by which a chaplain may be employed in

our penitentiary and such of the state reformatories as the Legislature may select.

We authorize our secretary to memorialize the Legislature to that end."

Yours truly,
G. L. CUDDY, Secretary Puget Sound Conference,
Tacoma, Wash.

On motion of Senator Rands the communication was referred to the Committee on State Penal and Reformatory Institutions.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., January 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 10, entitled "An act providing for the appointment in all cities of the first class of a sealer of weights and measures, defining his duties," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Cities of the First Class.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, O. A. Tucker, S. S. Russell, T. A. Hunter, Charles T. Hutson, Wm. Hickman Moore, E. B. Palmer.

On motion of Senator Rands the report was adopted and Senate bill No. 10 referred to the Committee on Cities of the First Class.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 16, entitled "An act authorizing cities to fix and determine by ordinance the price to be charged for water, gas, electric light, electric power, the use of telephones and for street car fares," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Municipal Corporations.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, O. A. Tucker, S. S. Russell, T. A Hunter, Charles T. Hutson, Wm. Hickman Moore, E. B. Palmer.

On motion of Senator Rands the report was adopted and Senate bill No. 16 referred to the Committee on Municipal Corporations.

SENATE CHAMBER,
OLYMPIA, WASH., January 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 20, entitled "An act to provide for the marking and labeling of the vial, box, can, or parcel containing any explosive substance sold within this State, and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In line 2, section 1 of the printed bill, strike the words "gasoline, benzine, or other."

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, O. A. Tucker, S. S. Russell, T. A. Hunter, Charles T. Hutson, Wm. Hickman Moore, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

On motion of Senator Reed 250 additional copies of Senate bill No. 33 were ordered printed.

INTRODUCTION OF BILLS.

Senate bill No. 64, by Senator Davis: An act to amend section 1 of an act relating to the employment of child labor, etc.

The bill was read the first time, and on motion of Senator Davis the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 65, by Senator Watson: An act to establish a fish hatchery in Cowlitz county.

The bill was read the first time, and on motion of Senator Watson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate bill No. 66, by Senator Bronson: An act to create and establish an institution for defective youth.

The bill was read the first time, and on motion of Senator Bronson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Charitable Institutions.

Senate bill No. 67, by Senator Davis: An act providing for the appointment of deputy coroners in certain counties.

The bill was read the first time, and on motion of Senator Davis the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 68, by Senator Welsh: An act empowering cities of the third class to levy and collect an annual street poll tax, and declaring an emergency.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Municipal Corporations.

Senate bill No. 69, by Senator Kinnear: An act fixing salaries of county commissioners of counties of the first class and amending section 1 of chapter LXI of the Session Laws of 1895.

The bill was read the first time, and on motion of Senator Kinnear the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Miscellaneous.

Senate bill No. 70, by Senator Tucker: An act to amend section 1 of an act entitled "An act to amend section three to thirty-one," etc., relating to the classifying of counties according to population, enumerating the county officers, etc.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Miscellaneous.

Senate bill No. 71, by Senator Moore: An act to amend section 4251 of Ballinger's Annotated Codes and Statutes of Washington, etc., relating to private corporations.

The bill was read the first time, and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Corporations other than Municipal.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 23, 1905.

MR. PRESIDENT:

The House has passed House bill No. 48, entitled "An act amending Pierce's Code, relating to costs in civil actions."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 23, 1905.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 12, calling for early action by the Committees on Railroads.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 23, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 15, entitled "An act to provide for an exhibition of Washington products at the Lewis and Clark exposition, with the following amendments:

That section 2 be amended by striking out of line 4 of the engrossed bill the word "hereby," and substituting in lieu thereof the word "hereinafter."

That section 3 be amended by striking out in line 5 of the engrossed bill the word "their," before the word "proceedings," and substituting in lieu thereof the word "its."

That section 4 be amended by striking out in line 4 of the engrossed bill the word "committee," and substituting in lieu thereof the word "commission."

That section 6 be amended by inserting in line 3 of the engrossed bill, between the words "place" and "to," the words "or places."

That section 8 of said engrossed bill be amended by striking out of line 2 thereof the words and figures "one hundred thousand dollars ($100,000)" and substituting in lieu thereof the following: "seventy-five thousand dollars ($75,000), or so much thereof as may be necessary."

That section 10 be amended by striking out in line 1 of the engrossed bill the words and figures "one hundred and eighty-nine (189)," and substituting in lieu thereof the words and figures "one hundred and eighty-eight (188)."

That the title of said act be amended by striking out in line 5 of the

title of the engrossed bill the words and figures "one hundred and eighty-nine (189)," and substituting in lieu thereof the words and figures "one hundred and eighty-eight (188)."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 23, 1905.

MR. PRESIDENT:

The speaker has signed Senate joint resolution No. 1, calling on Washington's delegation in congress to support the president in his efforts to enlarge the powers of the interstate commerce commission.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

The hour of 12 o'clock noon having arrived the Senate adjourned to the House to ballot for United States Senator.

JOINT SESSION.

The joint session was called to order at 12:00 o'clock noon by the president.

The secretary of the Senate called the roll of the Senate; all members being present except Senators Graves, Palmer and Sharp, who were excused.

The clerk of the House called the roll of the House, all members being present except Messrs. Ayer, Lyons, Morgan, Poyns, Shultz and Twichell, who were excused.

The journal of the last joint session was read and approved.

The president announced that as no person had received a majority of all the votes at the last joint session there had been no election of United States Senator and instructed the secretary to call the joint roll for the seventh joint ballot.

SEVENTH JOINT BALLOT.

Addison G. Foster received forty votes.
Samuel H. Piles received twenty-nine votes.
Charles Sweeny received twenty-eight votes.
John L. Wilson received sixteen votes.
Wesley L. Jones received seven votes.
William Hickman Moore received five votes.
Will G. Graves received one vote.

Those voting for Addison G. Foster were: Messrs. Bartlett, Bassett, Bishop, Blackmore, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Lincoln Davis, Eidemiller, Fenton, Fulton, Hamilton, Hammer, Hughes, Lee A. Johnson, Lambert, LeCrone, Levin, McCoy, McNicol, Melcher, Miller, Minard, Moldstad, Olsen, Pogue, Geo. T. Reid, Roberts, Rudene, Sheets, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson, Mr. Speaker—40.

Those voting for Samuel H. Piles were: Messrs. Blaker, Booth, W. W. Brown, Clarke, Dawes, Dobson, Ericksen, Gleason, Hemrich, Henderson, Houston, Hunter, Irving, Kennedy, Keyes, Kinnear, McVay, Morrill, Potts, Rands, Renick, Smith (J. J.), Smith (S. T.), Theurer, Todd, Tucker, Van de Vanter, Vilas, Weir—29.

Those voting for Charles Sweeny were: Messrs. Allen, Baker, Bowers, Bratt, C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, Long, McGregor, Pauly, Ratcliffe, Reiter, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, Weber—28.

Those voting for John L. Wilson were: Messrs. Benn, Condon, D. J. Davis, Geo. L. Davis, Dyke, Falconer, Frostad, Chas. Johnson, O'Donnell, Walter J. Reed, Roth, Russell, Ruth, Strobridge, Vogtlin, Watson—16.

Those voting for Wesley L. Jones were: Messrs. Bolinger, Boone, Dickson, Hare, Kenoyer, Stilson, Williams—7.

Those voting for William Hickman Moore were: Messrs. Earles, Harper, Maloney, Rasher, Weatherford—5.

Senator Moore voted for Will G. Graves.

Those absent or not voting were: Senator Graves and Mr. Ayer.

Senator Palmer paired with Senator Sharp.

Mr. Twichell paired with Mr. Shultz.

Mr. Lyons paired with Mr. Poyns.

Mr. Morgan paired with Mr. Griffin.

At 12:20 p. m., on motion of Mr. Dickson, the joint session dissolved.

The Senate reconvened at 12:25 p. m. and on motion of Senator Tucker adjourned until Tuesday, January 24, 1905, at 11 o'clock a. m.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

SIXTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 24, 1905
11 o'clock a. m.

The Senate was called to order at 11 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. Richard H. Massey offered prayer.

The secretary called the roll, all members being present except Senator Sharp, excused.

On motion of Senator Moore, Senator Graves was excused for an indefinite period, on account of illness.

On motion the reading of yesterday's journal was dispensed with and it was approved.

REPORT OF SELECT COMMITTEE.

MR. PRESIDENT:

We, your Committee appointed to attend the funeral of the late Hon. T. J. Humes, beg to report that we, together with the Committee from the House, reported to the funeral committee at the Grand Opera House at Seattle, Friday, January 13th, and attended the services in a body. We herewith hand bill for floral design in connection therewith, and ask that the same be allowed.

R. M. KINNEAR,
LINCOLN DAVIS,
Committee on the part of the Senate.

On motion of Senator Davis the report was adopted.

The following resolution was adopted on motion of Senator Kinnear:

Resolved, That the president and secretary of the Senate be directed to draw a voucher for the sum of $30 in favor of J. G. Hopkins, in payment of bill for floral wreath furnished by order of the legislative committee for the Humes funeral services.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., January 24, 1905.

MR. PRESIDENT:

We, your Committee on Printing, beg leave to report as follows regarding the printing for the present session:

1. That all the Senate printing except letter-heads and envelopes be given to the Vaughn & Morrill Printing Company.

2. That the printing of the letter-heads and envelopes be given to the Capital Printing Company.

In this connection we beg to report that all of the work of Senate printing was advertised, giving due notice to bidders, and that the above recommendation is based upon the lowest bids received.

We further recommend that it be understood that this contract may be abrogated by majority vote of the Senate at any time when satisfactory service is not rendered by the contractors.

Respectfully submitted.

O. A. TUCKER, Chairman.

We concur: John T. Welsh, S. M. Le Crone, W. G. Potts.

MINORITY REPORT.

I concur except in matter of Senate bills.

C. G. BROWN.

Senator Le Crone moved the adoption of the majority report.

Senator Brown moved as a substitute that the minority report be adopted.

The minority report was adopted.

On motion of Senator Brown the following resolution was adopted:

Resolved, That the contract for printing of Senate bills, letterheads and envelopes be awarded to the Capital Printing Company and the contract for all other classes of printing specified in the call for bids be awarded to the Vaughn and Morrill Printing Company; and, be it further

Resolved, That the chairman of the Printing Committee be authorized to let all contracts for Senate printing according to the action taken by this body on Printing Committee report this day.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 24, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill

No. 31, entitled "An act providing for the introduction of testimony given in a former trial, action or proceeding," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 2, section 1 of the printed bill, after the word "proceeding," insert the words "when reported by a stenographer, or reduced to writing, and after notice to the opposite party, certified by the trial judge."

In line 3, section 1 of the printed bill, after the word "any" and before the word "action," insert the word "civil."

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, S. S. Russell, T. A. Hunter, Wm. Hickman Moore, O. A. Tucker, E. B. Palmer, R. M. Kinnear, Walter Christian.

On motion of Senator Rands the report was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 24, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 19, entitled "An act to amend section 15 of an act entitled 'An act providing for and regulating the selection of jurors in the superior courts of the State; and providing for the appointment of jury commissioners, prescribing their duties,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 9, section 1 of the printed bill, strike the word "seven" and substitute the word "fifteen" therefor.

In line 10, section 1 of the printed bill, after the word "provided,"' insert a period and strike out the balance of said section.

Strike out all of section 2 of the printed bill.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, S. S. Russell, T. A. Hunter, Wm. Hickman Moore, O. A. Tucker, E. B. Palmer, R. M. Kinnear, Walter Christian.

On motion of Senator Rands the report was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 24, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 20, entitled "An act to provide for the marking and labeling of the vial, box, can, or parcel containing any explosive substance," etc.,

have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, W. E. Bronson.

INTRODUCTION OF BILLS.

Senate bill No. 72, by Senator Clapp: An act relating to the public moneys of the State of Washington and providing state depositories, etc.

The bill was read the first time, and on motion of Senator Clapp the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Banks and Banking.

Senate bill No. 73, by Senator Potts: An act for the protection of game animals and game birds, song birds, etc., and creating the office of state game warden, etc.

The bill was read the first time, and on motion of Senator Potts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate bill No. 74, by Senator Boone: An act relating to the annexing of certain county territory to a neighboring county, etc.

The bill was read the first time, and on motion of Senator Boone the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Counties and County Boundaries.

Senate bill No. 75, by Senator Graves: An act providing for compensation to employees for personal injuries received in the course of their employment.

The bill was read the first time, and on motion of Senator Graves the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 76, by Senator Graves: An act relating to primary elections and providing for party nominations by direct vote.

The bill was read the first time, and on motion of Senator Graves the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Election and Privileges.

Senate bill No. 77, by Senator Graves: An act relating to exceptions and bill of exceptions, etc.

The bill was read the first time, and on motion of Senator Graves the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 78, by Senator Kennedy: An act to establish a railroad commission for the State of Washington, etc.

The bill was read the first time, and on motion of Senator Kennedy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Railroads and Transportation.

Senate bill No. 79, by Senator Davis: An act for the protection of game animals, etc.

The bill was read the first time, and on motion of Senator Davis the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 80, by Senator Stewart: An act relating to the State soldiers' home, etc.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Military.

Senate bill No. 81, by Senator Wilson: An act to regulate the practice of osteopathy, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry and Hygiene.

House bill No. 48: An act to amend section 5173 of Ballinger's Annotated Codes and Statutes of Washington, the same being section 1110 of Pierce's Code, relating to costs in civil actions.

The bill was read the first time, and on motion of Senator Moore the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

GENERAL FILE.

On motion of Senator Rands the Senate concurred in House amendments to Senate bill No. 15, by Senator Rands, "An act providing for the exhibition of products of the State of Washington at the Lewis and Clark fair, at Portland, in 1905," etc., by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Van de Vanter, Veness, Watson, Welsh, Wilson—39.

Those absent or not voting were: Senators Graves, Sharp, Tucker—3.

Senate bill No. 20, by Senator Russell: An act providing for the labeling of the vial, box, can or parcel containing any explosive substance sold within this State, and providing a penalty for the violation thereof," was given its third reading and on motion of Senator Russell placed for final passage.

Senate bill No. 20 was passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—38.

Those absent or not voting were: Senators Graves, Kinnear, Sharp, Sumner—4.

The hour of 12 o'clock noon having arrived, the Senate adjourned to the House to ballot for United States Senator.

JOINT SESSION.

The joint session was called to order at 12:00 o'clock noon by President Coon.

The secretary of the Senate called the roll of the Senate, all members being present except Senators Graves and Sharp, who were excused.

The clerk of the House called the roll of the House, all members being present except Messrs. Twichell and Weatherford, who were excused.

The journal of the joint session of yesterday was read and approved.

It appearing that no person had received a majority of the votes cast and that there had been no election of United States Senator at the joint session of yesterday, the president instructed the secretary to call the roll for the eighth joint ballot.

EIGHTH JOINT BALLOT.

Addison G. Foster received forty-three votes.
Samuel H. Piles received thirty-one votes.
Charles Sweeny received twenty-eight votes.
John L. Wilson received seventeen votes.
Wesley L. Jones received seven votes.
Will G. Graves received six votes.

Those voting for Addison G. Foster were: Messrs. Bartlett, Bassett, Bishop, Blackmore, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Lincoln Davis, Eidemiller, Fenton, Fulton, Griffin, Hamilton, Hammer, Hughes, Lee A. Johnson, Lambert, LeCrone, Levin, McCoy, McNicol, Melcher, Miller, Minard, Moldstad, Olsen, Pogue, Poyns, Geo. T. Reid, Roberts, Rudene, Sheets, Shultz, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson, and Mr. Speaker—43.

Those voting for Samuel H. Piles were: Messrs. Blaker, Booth, W. W. Brown, Clarke, Dawes, Dodson, Ericksen, Gleason, Hemrich, Henderson, Houston, Hunter, Irving, Kennedy, Keyes, Kinnear, Lyons, McVay, Morrill, Palmer, Potts, Rands, Renick, Smith (Dr. J. J.), Smith (S. T.), Theurer, Todd, Tucker, Van de Vanter, Vilas, and Weir—31.

Those voting for Charles Sweeny were: Messrs. Allen, Baker, Bowers, Bratt, C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, Long, McGregor, Pauly, Ratcliffe, Reiter, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, and Weber—28.

Those voting for John L. Wilson were: Messrs. Benn, Condon, D. J. Davis, Geo. L. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Roth, Russell, Ruth, Strobridge, Vogtlin, and Watson—17.

Those voting for Wesley L. Jones were: Messrs. Bolinger, Boone, Dickson, Hare, Kenoyer, Stilson, and Williams—7.

Those voting for Will G. Graves were: Messrs. Ayer, Earles, Harper, Maloney, Moore, and Rasher—6.

Those absent or not voting were: Senator Graves, excused, and Mr. Weatherford, excused—2.

Senator Sharp was paired with Mr. Twichell.

No person having received a majority of the votes, the president declared there had been no election and instructed the secretary to call the roll for the ninth joint ballot.

NINTH JOINT BALLOT.

Addison G. Foster received forty-five votes.
Samuel H. Piles received thirty-one votes.
Charles Sweeny received twenty-eight votes.
John L. Wilson received seventeen votes.
Wesley L. Jones received seven votes.
Will G. Graves received four votes.

Those voting for Addison G. Foster were: Messrs. Bartlett, Bassett, Bishop, Blackmore, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Lincoln Davis, Earles, Eidemiller, Fenton, Fulton, Griffin, Hamilton, Hammer, Harper, Hughes, Lee A. Johnson, Lambert, LeCrone, Levin, McCoy, McNicol, Melcher, Miller, Minard, Moldstad, Olsen, Pogue, Poyne, Geo. T. Reid, Roberts, Rudene, Sheets, Shultz, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson, and Mr. Speaker—45.

Those voting for Samuel H. Piles were: Messrs. Blaker, Booth, W. W. Brown, Clarke, Dawes, Dobson, Ericksen, Gleason, Hemrich, Henderson, Houston, Hunter, Irving, Kennedy, Keyes, Kinnear, Lyons, McVay, Morrill, Palmer, Potts, Rands, Renick, Smith (Dr. J. J.), Smith (S. T.), Theurer, Todd, Tucker, Van de Vanter, Vilas, and Weir—31.

Those voting for Charles Sweeny were: Messrs. Allen, Baker, Bowers, Bratt, C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E.

Linsley, Long, McGregor, Pauly, Ratcliffe, Reiter, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, and Weber—28.

Those voting for John L. Wilson were: Messrs. Benn, Condon, D. J. Davis, Geo. L. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Roth, Russell, Ruth, Strobridge, Vogtlin, and Watson—17.

Those voting for Wesley L. Jones were: Messrs. Bolinger, Boone, Dickson, Hare, Kenoyer, Williams, Stilson—7.

Those voting for Will G. Graves were: Messrs. Ayer, Maloney, Moore, and Rasher—4.

Those absent or not voting were: Senator Graves, excused, Mr. Weatherford, excused—2.

Senator Sharp was paired with Mr. Twichell.

At 12:25 p. m., on motion of Mr. Dickson, the joint session dissolved.

The Senate reconvened at 12:30, and on motion of Senator Rands adjourned until 10:30 o'clock a. m. Wednesday, January 25, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

SEVENTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 25, 1905
10:30 o'clock a. m.

The Senate was called to order at 10:30 a. m. by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senators Graves, Hunter and Sharp, excused.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 25, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 15, entitled "An act to provide for the collection, exhibition, and maintenance of the products of the State of Washington at the Lewis and Clark exposition at Portland, Oregon, and making an appropriation therefor," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: O. A. Tucker, C. G. Brown, H. Rasher.

The president signed Senate bill No. 15.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 25, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 19, entitled "An act to amend section 15 of an act entitled 'An act providing for and regulating the selection of jurors,'" etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, S. S. Russell.

SENATE CHAMBER,
OLYMPIA, WASH., January 25, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 31, entitled "An act providing for the introduction of testimony given in a former trial, action or proceeding," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, S. S. Russell.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 25, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 50, entitled "An act defining certain misdemeanors and providing

the punishment, making it unlawful for any husband, without sufficient cause, to abandon his wife or infant child or children," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 1, title of the printed bill, after the word "punishment," strike out the balance of said title, and substitute therefor the words "for the violation thereof."

In line 4, section 3 of the printed bill, strike the word "drank" and substitute the word "drunk" therefor. In line 5, section 3 of the printed bill strike the word "street" and substitute the words "streets, alleys or other public place" therefor. In line 5, section 3 of the printed bill, after the word "city," insert the words "or town." In line 6, section 3 of the printed bill, strike the words "on any day of any year."

In line 1, section 4 of the printed bill, strike the words "sections one, two or three" and substitute the words "any of the provisions" therefor In line 2, section 4 of the printed bill, strike the word "therefor." In line 3, section 4 of the printed bill, strike the words "to which may be added imprisonment" and substitute the words "or be imprisoned" therefor. In line 3, section 4 of the printed bill, strike the words "for any period." In line 4, section 4 of the printed bill, strike the words "six months" and substitute the words "thirty-three days" therefor.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, S. S. Russell, O. A. Tucker, E. B. Palmer, R. M. Kinnear.

On motion of Senator Rands the report was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 24, 1905.

MR. PRESIDENT:

We, your Committee on Granted, State, School and Tide Lands, to whom was referred Senate bill No. 57, entitled "An act for the relief of John H. Willms, and authorizing the commissioner of public lands of the State of Washington to relinquish on behalf of the State of Washington for the benefit," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Claims and Auditing.

W. G. POTTS, Chairman.

We concur in this report: S. T. Smith, J. R. O'Donnell, A. L. Watson, Jno. Earles, O. A. Tucker, J. A. Veness.

On motion of Senator Potts the report was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 24, 1905.

MR. PRESIDENT:

We, your Committee on Granted, State, School and Tide Lands, to whom was referred Senate bill No. 27, entitled "An act to amend an act entitled 'An act to amend section 11 of an act entitled "An act to provide for the selection, survey, management, reclamation,"' etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. G. POTTS, Chairman.

We concur in this report: S. T. Smith, J. R. O'Donnell, A. L. Watson, Jno. Earles, O. A. Tucker, J. A. Veness.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., January 24, 1905.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 4, for the appointment of a committee to confer with a like committee from the Oregon Legislature, to consider the fishing industries of the Columbia river.

Also vetoed House bill No. 30, appropriating $11,000 for state highways.

Also vetoed House bill No. 122, for the payment of bounties for killing coyotes and wolves.

Also vetoed that portion of House bill No. 454 appropriating money to Kittitas, Franklin, Yakima, Spokane and Thurston counties.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 24, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 15, entitled "An act to provide for the collection, exhibition and maintenance of the products of the State of Washington at the Lewis and Clark Centennial exposition at Portland, Oregon.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 82, by Senator Pogue: An act providing for screens for irrigating ditches, etc.

The bill was read the first time, and on motion of Senator Pogue the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate bill No. 83, by Senator Moore: An act amending section 6403 Ballinger's Annotated Codes and Statutes of Washington, relating to bonds of guardians, etc.

The bill was read the first time, and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 84, by Senator Moore: An act providing for the suspension and withholding of sentence of persons under the age of twenty-one years who have been convicted of a misdemeanor or felony in the superior courts of the State of Washington.

The bill was read the first time, and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 85, by Senator Moore: An act providing for sanitary conditions in hotel and restaurant kitchens and providing penalties for noncompliance therewith.

The bill was read the first time, and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry and Hygiene.

Senate bill No. 86, by Senator Rasher: An act relating to the employment of special counsel for county commissioners, and declaring an emergency.

The bill was read the first time, and on motion of Senator Rasher the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

GENERAL FILE.

Engrossed copy, Senate bill No. 19, by Senator Hutson: "An act providing for and regulating the selection of jurors in the superior courts of the State, and providing for the appointment

of a jury commissioner," etc., was given its third reading, and on motion of Senator Hutson placed for final passage.

The bill was passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Van de Vanter, Veness, Watson, Welsh—33.

Those absent or not voting were: Senators Baker, Christian, Graves, Hunter, Kinnear, Palmer, Sharp, Sumner, Wilson—9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 31, by Senator Rands: "An act providing for the introduction of testimony given in a former trial, action or proceeding," was given its third reading, and on motion of Senator Rands placed for final passage.

The bill was passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Baker, Christian, Graves, Hunter, Kinnear, Russell, Sharp—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Welsh, House concurrent resolution No. 4, providing for a committee of two from the Senate and three from the House to confer with a like committee appointed by the Legislature of the State of Oregon, to consider fishing industries of the Columbia river, was adopted.

The president announced the appointment as such committee of Senators Welsh and Watson.

Senate bill No. 27, by Senator Veness, was placed on third reading and at the request of Senator Veness went over until tomorrow, retaining its place on the calendar.

On motion of Senator Stewart vetoed House bills Nos. 30, 122 and that portion of vetoed House bill No. 454 appropriating money to Kittitas, Franklin, Yakima, Spokane, and Thurston counties, was made a special order for Thursday, January 26, 1905, at 11 o'clock a. m.

On motion of Senator Reed, there was ordered printed 250 additional copies of Senate bill No. 14.

On motion of Senator Pauly there was ordered printed 250 additional copies of Senate bill No. 16.

The hour of 12 o'clock noon having arrived the Senate repaired to the House to ballot for United States Senator.

JOINT SESSION.

The joint session was called to order at 12:00 o'clock noon by the president.

The secretary called the roll of the Senate, all members being present except Senator Hunter, Senators Graves and Sharp, excused.

The clerk of the House called the roll of the House, all members being present.

The journal of yesterday's joint session was read and approved.

The president announced that as no person had received a majority of the votes cast at the last joint session there had been no election of United States Senator and instructed the secretary to call the joint roll for the tenth joint ballot.

TENTH JOINT BALLOT.

Addison G. Foster received forty-six votes.
Samuel H. Piles received thirty votes.
Charles Sweeny received twenty-eight votes.
John L. Wilson received sixteen votes.
Wesley L. Jones received seven votes.
F. P. Hogan received six votes.

Those voting for Addison G. Foster were: Messrs. Bartlett, Bassett, Bishop, Blackmore, Blaker, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Lincoln Davis, Eidemiller, Fenton, Fulton, Griffin, Hamilton, Hammer, Harper, Hughes, Lee A. Johnson, Keyes, Lambert, LeCrone, Levin, McCoy, McNicol, Melcher, Miller, Minard, Molstad, Olsen, Pogue, Poyns, Geo. T.

Reid, Roberts, Rudene, Sheets, Shultz, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson, Mr. Speaker—46.

Those voting for Samuel H. Piles were: Messrs. Booth, W. W. Brown, Clarke, Dawes, Dobson, Ericksen, Gleason, Hemrich, Henderson, Houston, Irving, Kennedy, Kinnear, Lyons, McVay, Morrill, Palmer, Potts, Rands, Renick, Russell, Smith (Dr. J. J.), Smith (S. T.), Theurer, Todd, Tucker, Twichell, Van de Vanter, Vilas, and Weir—30.

Those voting for Charles Sweeny were: Messrs. Allen, Baker, Bowers, Bratt, C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, Long, McGregor, Pauly, Ratcliffe, Reiter, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, Weber—28.

Those voting for John L. Wilson were: Messrs. Benn, Condon, D. J. Davis, Geo. L. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Roth, Ruth, Strobridge, Vogtlin, Watson—16.

Those voting for Wesley L. Jones were: Messrs. Bolinger, Boone, Dickson, Hare, Kenoyer, Stilson, Williams—7.

Those voting for F. P. Hogan were: Messrs. Ayer, Earles, Maloney, Moore, Rasher, Weatherford—6.

Absent or not voting were: Mr. Graves (excused)—1.

Senator Sharp paired with Senator Hunter.

No person having received a majority of the votes cast the president declared there had been no election and instructed the secretary to call the joint roll for the eleventh joint ballot.

ELEVENTH JOINT BALLOT.

Addison G. Foster received forty-seven votes.

Samuel H. Piles received thirty votes.

Charles Sweeny received twenty-eight votes.

John L. Wilson received sixteen votes.

Wesley L. Jones received seven votes.

F. P. Hogan received five votes.

Those voting for Addison G. Foster were: Messrs. Bartlett, Bassett, Bishop, Blackmore, Blaker, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Lincoln Davis, Earles, Eidemiller, Fenton, Fulton, Griffin, Hamilton, Hammer, Harper, Hughes, Lee A. Johnson, Keyes, Lambert, LeCrone, Levin, McCoy, McNicol,

Melcher, Miller, Minard, Moldstad, Olsen, Pogue, Poyns, Geo. T. Reid, Roberts, Rudene, Sheets, Shultz, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson and Mr. Speaker—47.

Those voting for Samuel H. Piles were: Messrs. Booth, W. W. Brown, Clarke, Dawes, Dobson, Ericksen, Gleason, Hemrich, Henderson, Houston, Irving, Kennedy, Kinnear, Lyons, McVay, Morrill, Palmer, Potts, Rands, Renick, Russell, Smith (Dr. J. J.), Smith (S. T.), Theurer, Todd, Tucker, Twichell, Van de Vanter, Vilas, and Weir—30.

Those voting for Charles Sweeny were: Messrs. Allen, Baker, Bowers, Bratt, C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, Long, McGregor, Pauly, Ratcliffe, Reiter, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, and Weber—28.

Those voting for John L. Wilson were: Messrs. Benn, Condon, D. J. Davis, Geo. L. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Roth, Ruth, Strobridge, Vogtlin, and Watson—16.

Those voting for Wesley L. Jones were: Messrs. Bolinger, Boone, Dickson, Hare, Kenoyer, Stilson, and Williams—7.

Those voting for F. P. Hogan were: Messrs. Ayer, Maloney, Moore, Rasher, and Weatherford—5.

Those absent or not voting were: Senator Graves (excused)—1.

Senator Sharp was paired with Senator Hunter.

At 12:25 p. m., on motion of Senator Van de Vanter, the joint session dissolved.

The Senate reconvened at 12:30 o'clock p. m., and on motion of Senator Stewart adjourned until 10:30 o'clock a. m. Thursday, January 26, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

EIGHTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 26, 1905
10:30 o'clock a. m.

The Senate was called to order at 10:30 o'clock a. m., by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senators Graves and Sharp, who were excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 26, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 50, entitled "An act defining certain misdemeanors and providing punishment," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, R. W. Condon.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 24, 1905.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 54, entitled "An act to appropriate funds for the payment of mileage of the presidential electors of the State of Washington," etc.,

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER, Chairman.

We concur in this report: John T. Welsh, S. T. Smith, O. A. Tucker, Fred M. Pauly.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 26, 1905.

MR. PRESIDENT:

The House has passed House bill No. 67, entitled "An act amending the act relating to security for costs in justice courts."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 26, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 47, entitled "An act giving the county commissioners right to set apart funds for the purpose of making county exhibits at the Lewis and Clark exposition at Portland," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on the general file.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, O. A. Tucker, Charles T. Hutson, T. A. Hunter, R. M. Kinnear, S. S. Russell, Wm. Hickman Moore.

On motion of Senator Rands the report was adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., January 25, 1905.

To the Senate:

I am directed by the Governor to inform you that he has this day approved Senate bill No. 15, entitled: "An act to provide for the collection, exhibition and maintenance of the products of the State of Washington at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, 1905, at Portland, Oregon, making an appropriation therefor and repealing chapter one hundred and eighty-eight (188) of the Session Laws of 1903, and declaring an emergency."

A. N. BROWN, Secretary to the Governor.

INTRODUCTION OF BILLS.

Senate bill No. 87, by Senator Potts: An act authorizing the board of state land commissioners to extend the time for the removal of timber sold on state granted and school lands.

The bill was read the first time, and on motion of Senator Potts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 88, by Senator Wilson: An act amending an act relating to the practice of medicine and surgery.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry and Hygiene.

Senate bill No. 89, by Senator Wilson: An act to amend an act to promote the fruit growing and horticultural interests, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Horticulture.

Senate bill No. 90, by Senator Wilson: An act to provide a system of registration of births and deaths and the method of reporting births and deaths, and for the issuance of permits for the burial, removal or transportation of bodies of deceased persons and fixing the penalty for the violation, and repealing all laws inconsistent with this act.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry and Hygiene.

Senate bill No. 91, by Senator Ruth: An act to amend section 6488 of Ballinger's Annotated Codes and Statutes, the same being section 1673 of the Code of 1881 and section 2523, 1 Hill's Code, providing for making complaint in case of an habitual drunkard.

The bill was read the first time, and on motion of Senator Ruth the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Public Morals.

Senate bill No. 92, by Senator Davis: An act to extend limit and regulate the liability of employers, etc.

The bill was read the first time, and on motion of Senator Davis the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

GENERAL FILE.

Senate bill No. 27, by Senator Veness, was placed on its third reading, and on motion of Senator Welsh referred to the Committee on Judiciary.

Engrossed copy Senate bill No. 50, by Senator Tucker: "An act defining certain misdemeanors, and providing punishment, etc., and declaring an emergency," was placed on its third reading.

On motion of Senator Tucker the following amendments were adopted:

At the end of section 1 of the engrossed bill, add the words "under the age of sixteen years."

At the end of section 2 of the engrossed bill, add the words "under the age of sixteen years."

In line 3 of section 3 of the engrossed bill, after the word "children," add the words "under the age of sixteen years."

On motion of Senator Tucker the rules were suspended, the bill considered engrossed, and placed on its final passage.

The secretary called the roll and the bill as amended was passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—38.

Those absent or not voting were: Senators Graves, Sharp, Sumner, Van de Vanter—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The hour of 11 o'clock a. m. having arrived the Senate proceeded to consider vetoed House substitute bill No. 30.

The secretary read the bill and the veto message of the Governor.

The question "Shall the bill pass notwithstanding the Governor's veto?" the secretary called the roll, with the following result:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—36.

Those voting nay were: Senators Christian and Palmer—2.

Those absent or not voting were: Senators Clapp, Graves, Hunter, Sharp—4.

The bill having received the necessary two-thirds vote the president declared it passed.

The secretary read vetoed House bill No. 122 and the Governor's veto message on same, and on the question "Shall the bill pass notwithstanding the veto of the Governor?" the roll was called and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—35.

Those voting nay were: Senators Christian, Hammer, Palmer, Smith (S. T.), Sumner—5.

Those absent or not voting were: Senators Graves, Sharp—2.

The secretary read that portion of vetoed House omnibus appropriation bill No. 454, appropriating money to Kittitas, Franklin, Yakima, Spokane and Thurston counties, together with the veto message of the Governor on same, and, on the question "Shall this portion of the bill pass notwithstanding the veto of the Governor?" the roll was called and that portion of the vetoed bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bron-

son, Brown, Christian, Clapp, Condon, Davis, Earles, Henry, Hunter, Hutson, Kennedy, Kinnear, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith, (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—35.

Those voting nay were: Senators Hammer, Hemrich, Le Crone, O'Donnell—4.

Those absent or not voting were: Senators Graves, Sharp—2.

On motion of Senator Baker the Senate resolved itself into a committee of the whole to consider Senate bill No. 54.

The bill was considered in the Committee of the Whole, Senator Baker in the chair, and was reported back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

On motion of Senator Baker the report was adopted.

House bill No. 67 was read the first time and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 47, by Senator Rands: "An act giving the county commissioners right to set apart funds for the purpose of making a county exhibit at the Lewis and Clark exposition at Portland," was placed on its third reading.

Senator Palmer moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Rands the rules were suspended, the bill considered engrossed and pfaced on its final passage. The bill passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Clapp, Condon, Davis, Henry, Hunter, Hutson, Kennedy, Kinnear, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—29.

Those voting nay were: Senators Boone, Brown, Christian, Earles, Hammer, Hemrich, Palmer—7.

Those absent or not voting were: Senators, Bratt, Graves, Le Crone, Sharp, Stewart, Summer—6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands the rules were suspended and the bill ordered transmitted to the House immediately.

The hour of 12 o'clock noon having arrived the Senate repaired to the House to ballot for a United States Senator.

JOINT SESSION.

The joint session was called to order at 12 o'clock noon by President Coon.

The secretary called the roll of the Senate, all members being present except Senator Graves (excused) and Senator Sharp (excused).

The clerk called the roll of the House, all members being present.

The journal of yesterday's joint session was read and approved.

The president announced that as no person had received a majority of votes cast at the last joint session there had been no election of United States Senator, and instructed the secretary to call the joint roll for the twelfth joint ballot.

TWELFTH JOINT BALLOT.

Addison G. Foster received forty-six votes.
Samuel H. Piles received thirty votes.
Charles Sweeny received twenty-eight votes.
John L. Wilson received sixteen votes.
Wesley L. Jones received seven votes.
George Turner received six votes.

Those voting for Addison G. Foster were: Messrs. Bartlett, Bassett, Bishop, Blackmore, Blaker, Bradley, Bronson, Byerly, Christian, Clapp, Crandall, Lincoln Davis, Eidemiller, Fenton, Fulton, Griffin, Hamilton, Hammer, Harper, Hughes, Lee A. Johnson, Keyes, Lambert, LeCrone, Levin, McCoy, McNicol, Melcher, Miller, Minard, Moldstad, Olsen, Pogue, Poyns, Geo. T. Reid, Roberts, Rudene, Sheets, Shultz, Smith (E. E.), Stewart, Sumner, Van Slyke, Welsh, Wilson, and Mr. Speaker—46.

Those voting for Samuel H. Piles were: Messrs. Booth, W. W. Brown, Clarke, Dawes, Dobson, Ericksen, Gleason, Hemrich, Houston, Hunter, Irving, Kennedy, Kinnear, Lyons, McVay, Morrill, Palmer, Potts, Rands, Renick, Russell, Smith (Dr. J. J.),

Smith (S. T.), Theurer, Todd, Tucker, Twichell, Van de Vanter, Vilas, and Weir—30.

Those voting for Charles Sweeny were: Messrs. Allen, Baker, Bowers, Bratt, C. G. Brown, Coate, Crane, Doolittle, Fancher, Henry, Hoch, Hutson, Huxtable, Kellogg, J. B. Lindsley, N. E. Linsley, Long, McGregor, Pauly, Ratcliffe, Reiter, Rudio, Scott, Stansell, Stevenson, Ulsh, Veness, and Weber—28.

Those voting for John L. Wilson were: Messrs. Benn, Condon, D. J. Davis, Geo. L. Davis, Dyke, Falconer, Frostad, Chas. Johnson, Morgan, O'Donnell, Walter J. Reed, Roth, Ruth, Strobridge, Vogtlin, and Watson—16.

Those voting for Wesley L. Jones were: Messrs. Bolinger, Boone, Dickson, Hare, Kenoyer, Stilson, and Williams—7.

Those voting for George Turner were: Messrs. Ayer, Earles, Maloney, Moore, Rasher, and Weatherford—6.

Those absent or not voting were: Senator Graves (excused), Senator Sharp (excused), and Mr. Henderson—3.

On motion of Mr. Roth, the joint session dissolved at 12:15 p. m.

The Senate reconvened at 12:20 p. m., and on motion of Senator Boone adjourned until 11 o'clock a. m. Friday, January 27, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

NINETEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 27, 1905.
11 o'clock a. m.

The Senate was called to order at 11 o'clock a. m. by President Coon.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senators Graves and Sharp, excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

On motion of Senator Veness, Senate concurrent resolution No. 11 was adopted as follows:

Resolved by the Senate, the House concurring, That

WHEREAS, The lumbermen of the State of Washington have petitioned the transcontinental railroads for a rate on lumber of forty cents (40c) per 100 pounds to Missouri river common points in the states of Nebraska, Kansas and South Dakota; and that a similar petition has been forwarded by the wholesale and retail lumbermen of the states named and who are denied the use of lumber manufactured in the State of Washington by reason of the present rates; and

WHEREAS, A forty (40) cent rate has been in existence for many years to North Dakota and Minnesota, and there being practically no difference in the haul to St. Paul and Omaha, despite the difference of ten cents in the rate, and the transcontinental lines therefore will suffer no loss in revenue by making a forty (40) cent rate to Missouri river points; and

WHEREAS, The lumber industry is the largest developed resource in the State of Washington, employing in its production upward of 81,000 men, and whose prosperity is largely dependent on fair and equitable transportation rates; therefore be it

Resolved, That the Legislature of the State of Washington in session assembled, do hereby believe the lumbermen are justly entitled to the prayer of their petition, to-wit: A forty (40) cent rate to Missouri

river common points, and do hereby join in said petition, with the request that same be granted by the transcontinental railroads.

Senator Baker offered the following resolution, which was read by the secretary:

Resolved, That Senate rule No. 30 be amended to read as follows:

"RULE 30. Unless otherwise ordered, 350 copies of all bills of a general nature originating in the Senate shall be printed for the use of the Senate and House of Representatives, and such other bills and matter shall be printed as may be ordered by the Senate."

The president announced that under the rules the resolution, proposing an amendment to the standing rules of the Senate, would go over till tomorrow.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 27, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 4, entitled "An act authorizing the incorporation of fire department relief associations in cities and towns in this State; to provide a firemen's pension fund for the pensioning of disabled firemen, and the widows and minor children of deceased firemen," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 7, title of the printed bill, after the word "appropriation" and before the word "for," insert the word "and." In line 8, title of the printed bill, strike the words "and declaring an emergency."

In line 1, section 5 of the printed bill, strike the words "firemen's fund" and substitute the words "fire department" therefor. In lines 6 and 7, section 5 of the printed bill, strike the words "of the existing two per cent." In line 9, section 5 of the printed bill, after the word "commissioner," strike the period and substitute a colon therefor, and add to said section the words: "*Provided*, That in no event shall the State of Washington be liable in any sum in excess of one-half of the net premiums so paid."

In line 11, section 14 of the printed bill, strike the words "of its," substitute the word "the" therefor, and after the word "by-laws" add the words "of such association."

Strike out all of section 17 of the printed bill.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, S. S. Russell, O. A. Tucker, R. M. Kinnear.

On motion of Senator Tucker the report of the Committee on Judiciary was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 25, 1905.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 16, entitled "An act authorizing cities to fix the charges for water, gas, electric light, telephones," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill be amended as follows:

That all of section 5 of the printed bill be stricken out.

And that as so amended the bill be placed on general file.

J. R. O'DONNELL, Chairman.

We concur in this report: C. L. Stewart, A. L. Watson, Walter J. Reed, J. J. Smith, E. Hammer, Geo. A. Kennedy.

On motion of Senator Smith (J. J.), the report was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 26, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 43, entitled "An act for the relief of Frank C. Owings, and making appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. H. BAKER. Chairman.

We concur in this report: T. A. Hunter, C. F. Clapp, E. M. Rands, C. L. Stewart, H. Rasher, G. B. Wilson, J. A. Veness.

SENATE CHAMBER,
OLYMPIA, WASH., January 26, 1905.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate bill No. 6, entitled "An act creating certain educational funds," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. A. HUNTER, Chairman.

We concur in this report: Fred M. Pauly, O. A. Tucker, Walter Christian, G. B. Wilson, E. C. Bratt.

INTRODUCTION OF BILLS.

Senate bill No. 93, by Senator Smith (S. T.): An act requiring railroad companies to weigh cars loaded with shingles, lumber and other forest products at junction points and at some common point or points, and fixing penalty, etc., repealing chapter CXLIV, Session Laws of 1901.

The bill was read the first time, and on motion of Senator Smith (S. T.), the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Manufactures.

Senate bill No. 94, by Senator Rasher: An act to prevent the fraudulent removal, sale, disposition of, encumbrance or destruction of personal property and to provide punishments for the violation thereof.

The bill was read the first time, and on motion of Senator Rasher the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 95, by Senator Davis: An act amending section 2945 of Ballinger's Codes and Statutes of Washington, and relating to the maintenance and trial of actions by persons injured in their persons, property, or means of support by intoxicated persons or in consequence of the intoxication of persons.

The bill was read the first time, and on motion of Senator Davis the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 96, by Senator Russell: An act to amend section 2757 of Ballinger's Annotated Codes and Statutes of Washington, fixing the penalty for unlawfully assisting prisoners to escape from the state penitentiary or unlawfully furnishing prisoners morphine, opium or other drugs.

The bill was read the first time, and on motion of Senator Russell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 97, by Senator Bronson: An act to require railroad companies and other common carriers to equip their flat cars used for carrying lumber, etc., and providing a penalty.

The bill was read the first time, and on motion of Senator Bronson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Manufactures.

Senate bill No. 98, by Senator Smith (J. J.): An act to amend

section 3125 of Pierce's Code, relating to committment of witnesses before committing magistrates.

The bill was read the first time, and on motion of Senator Smith (J. J.) the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 99, by Senator Smith (J. J.): An act to amend section 6 of an act entitled: "An act to provide for the manner of commencing civil actions in superior courts, and bringing the same to trial," approved March 15, 1893.

The bill was read the first time, and on motion of Senator Smith (J. J.) the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 100, by Senator Le Crone: An act to amend an act relating to the selection, survey, lease and disposition of state granted, school, tide and oyster lands, etc., approved March 16, 1897, and declaring an emergency.

The bill was read the first time, and on motion of Senator Le Crone the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 101, by Senator Tucker: An act defining petit larceny and fixing the penalty thereof, and amending section 831 of the Code of Washington Territory.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 102, by Senator Hammer: An act creating a lien upon real estate that is leased to saloons or places where intoxicating liquors are sold in violation of law, or for prostitution or gambling.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Morals.

GENERAL FILE.

Senate bill No. 43, by Senator Ruth: "An act for the relief of Frank C. Owings, and making an appropriation therefor."

On motion of Senator Moore the Senate resolved itself into a committee of the whole to consider Senate bill No. 43.

The bill was considered in the committee of the whole, Senator Smith (S. T.), in the chair, and was reported back to the Senate with the recommendation that it do pass.

On motion of Senator Baker the report of the committee of the whole on Senate bill No. 43 was adopted, and the reading had in the committee of the whole was considered the third reading of the bill.

On motion of Senator Ruth the bill was placed on its final passage.

The secretary called the roll and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Christian, Clapp, Davis, Earles, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Brown, Condon, Graves, Hemrich, Sharp, Sumner—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 6, by Senator Wilson: "An act creating two certain funds in the state treasury; one to be known as 'The current fund of the agricultural college and school of science,'" etc., was placed on its third reading.

On motion of Senator Wilson the bill was amended as follows:

In lines 4 and 5 of section 2 of the printed bill, strike out the words "Scientific School" and insert in lieu thereof the words "School of Science."

On motion of Senator Wilson, the rules were suspended, the bill considered engrossed, and placed on its final passage.

The secretary called the roll and Senate bill No. 6 passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Baker, Christian, Davis, Graves, Kinnear, Sharp, Sumner—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

The hour of 12 o'clock noon having arrived, the Senate repaired to the House to ballot for United States Senator.

JOINT SESSION.

The joint session was called to order at 12 o'clock noon by President Coon.

The secretary of the Senate called the roll of the Senate, all members being present except Senators Graves and Sharp, excused.

The clerk of the House called the roll of the House, all members being present except Mr. Harper (excused).

The journal of the last joint session was read and approved.

On motion of Mr. Megler, Governor Mead, who was in the visitors' gallery, was invited to the speaker's platform.

Mr. Megler and Senator Baker were appointed by the president as a committee to escort Governor Mead to a seat at the speaker's desk.

The president announced, that as no person had received a majority of the votes cast at the last joint ballot, there had been no election of United States Senator, and instructed the secretary to call the roll for the thirteenth joint ballot.

Mr. J. B. Lindsley was recognized by the president, and withdrew the name of Charles Sweeny as a candidate for United States Senator.

Senator Christian withdrew the name of Addison G. Foster as a candidate for United States Senator.

Mr. J. A. Falconer withdrew the name of John L. Wilson as a candidate for United States Senator.

Mr. W. H. Hare withdrew the name of Wesley L. Jones as a candidate for United States Senator.

The secretary proceeded with the call of the roll for the thirteenth joint ballot.

THIRTEENTH JOINT BALLOT.

Samuel H. Piles received one hundred and twenty-five votes.

George Turner received six votes.

Addison G. Foster received two votes.

Those voting for Samuel H. Piles were: Messrs. Allen, Baker, Bartlett, Bassett, Benn, Bishop, Blackmore, Blaker, Bolinger, Boone, Booth, Bowers, Bradley, Bratt, Bronson, C. G. Brown, W. W. Brown, Byerly, Christian, Clapp, Clarke, Coate, Condon, Crandall, Crane, D. J. Davis, Geo. L. Davis, Lincoln Davis, Dawes, Dickson, Dobson, Doolittle, Dyke, Eidemiller, Ericksen, Falconer, Fancher, Fenton, Frostad, Fulton, Gleason, Griffin, Hamilton, Hammer, Hare, Hemrich, Henderson, Henry, Hoch, Hutson, Houston, Hughes, Hunter, Huxtable, Irving, Chas. Johnson, Lee A. Johnson, Kellogg, Kennedy, Kenoyer, Keyes, Kinnear, Lambert, Le Crone, J. B. Lindsley, N. E. Linsley, Long, Lyons, McCoy, McGregor, McNicol, McVay, Melcher, Miller, Minard, Moldstad, Morgan, Morrill, O'Donnell, Olsen, Palmer, Pauly, Pogue, Potts, Poyns, Rands, Ratcliffe, Walter J. Reed, Geo. T. Reid, Reiter, Renick, Roberts, Roth, Rudene, Rudio, Russell, Ruth, Scott, Shultz, Smith (E. E.), Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Stevenson, Stilson, Strobridge, umner, Theurer, Todd, Tucker, Twichell, Ulsh, Van de Vanter, Van Slyke, Veness, Vilas, Vogtlin, Watson, Weber, Weir, Welsh, Williams, Wilson, and Mr. Speaker—125.

Those voting for George Turner were: Messrs. Ayer, Earles, Moore, Rasker, Weatherford, and Maloney—6.

Those voting for Addison G. Foster were: Messrs. Levin and Sheets—2.

Those absent or not voting were: Messrs. Graves, Harper, and Sharp—3.

President Coon declared Samuel H. Piles duly elected to the United States Senate from the State of Washington.

On motion of Mr. Vilas, a committee of nine was appointed to escort Mr. Piles before the joint session.

The president appointed as such committee, Senators Tucker, Clapp, Christian and Kennedy, and Representatives Twichell, Todd, Falconer, Bartlett, and J. B. Lindsley.

Samuel H. Piles appeared before the joint session, escorted by the committee, and delivered an address.

Charles Sweeny was called before the joint session and delivered an address.

On motion of Senator Christian, the joint session adjourned at 12:45 p. m. sine die.

On motion of Senator Palmer the Senate adjourned until Monday, January 30, 1905, at 2:30 o'clock p. m.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWENTY-SECOND DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 30, 1905.
2:30 o'clock p. m.

The Senate was called to order at 2:30 p. m. by President Coon, pursuant to adjournment.

Rev. W. S. Crockett offered prayer.

The secretary called the roll, all members being present except Senators Boone, Brown, Earles, Graves, Hammer, Hunter, Kinnear, Rands, Sharp, Smith (S. T.), Sumner, all excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 30, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 4, entitled "An act authorizing the incorporation of fire department relief associations," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, R. W. Condon.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 30, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 16, entitled "An act authorizing cities to fix the charges for water, gas, electric light, telephones," etc., have comapred the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, R. W. Condon.

SENATE CHAMBER,
OLYMPIA, WASH., January 30, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 6, entitled "An act creating certain educational funds," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 30, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred Senate bill No. 81, entitled "An act to regulate the practice of osteopathy and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate

with the recommendation that it do pass with the following amendments:

1. In line 6 of section 2 of the printed bill strike out the word and figure "five (5)" and insert in lieu thereof the word and figure "six (6)."

2. In line 1 of section 3 of the printed bill strike out the words "board of medical examiners" and insert in lieu thereof the words "state medical examining board."

3. In line 14 of section 3 of the printed bill, after the word "forgery," change the period to a colon and add the following: "*Provided*, That any person practicing osteopathy in this State at the time of the passage of this act, may continue to do so until the next meeting of the state medical examining board and until the first of August, 1905."

4. In line 7 of section 4 of the printed bill, beginning with the word "Provided," strike out to end of line, strike out lines 8 and 9, and strike out line 10 to the word "Provided."

5. In line 11 of section 4 of the printed bill, after the word "succession," change the period to a colon and add the following: "*Provided further*, That the additional member of said board hereby created shall be immediately appointed by the Governor for the term ending May 22, 1908, and that successors to the remaining members of said board shall be appointed as vacancies occur."

G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

On motion of Senator Wilson the report was adopted.

D. B. Wescott was sworn in as an employe of the Senate.

To the Senate and House of Representatives of the State of Washington:

We, the undersigned Committee, appointed by the Senate and House of Representatives of the State of Washington, to confer with a like committee appointed by the Senate and House of Representatives of the State of Oregon, for the purpose of reaching an agreement, if possible, upon the laws relative to salmon fishing and the fishing industry on the Columbia river, so as to have the laws of the State of Washington and the State of Oregon as nearly uniform as possible, do hereby respectfully report:

That we met at Olympia, Washington, on January 28, 1905, with the committee appointed by the Legislature of the State of Oregon, and duly organized with Senator Jay Tuttle as chairman and Senator John T. Welsh, as secretary, and with said committee the following agreement was reached and is hereby concurred in by your committee and the committee appointed by the Legislature of the State of Oregon, to-wit: That the closed season on the Columbia river be amended so that the same shall be closed from noon of the 15th day of March to noon of the 15th day of April, of each year, and that the season which now closes on April 15th, M., in the State of Washington, be extended so that the season shall close August 25th, noon, and

That the licenses of cold storage plants in the State of Washington be raised so that said license be as nearly as can be ascertained on the basis of ninety cents per ton net; and

That licenses or canneries in the State of Washington be raised so that it will be about double what it now is, or, as near as can be determined on the basis of about two cents per case on the output.

That the laws of the State of Washington and Oregon be so amended that the license for gill-nets be raised from $2.50 per annum to the sum of $5.00 per annum, and that the licenses for gill-nets be issued for a time certain, namely, commencing April 1st and expiring the following March 31st.

That the license upon seines on the Columbia river, and its tributaries in the State of Washington, be raised, so that the license fee upon a seine on the Columbia river and its tributaries in the State of Washington, be, as nearly as may be, the sum now paid as a license for a seine in the State of Oregon.

We, your Committee, beg to recommend that the laws of the State of Washington be amended in accordance herewith.

Respectfully submitted.

JAY TUTTLE, Chairman.

Washington Committee: John T. Welsh, A. L. Watson, J. G. Megler, J. M. Stevenson, W. R. Williams.

Oregon Committee: O. P. Coshow, T. H. Crang, E. S. Cooper, J. V. Burns.

On motion of Senator Welsh the report was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 30, 1905.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 11, relating to 40c rate on lumber.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 103, by Senator Potts: An act defining felony by co-partner, prescribing the punishment and declaring an emergency.

The bill was read the first time, and on motion of Senator Potts the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 104, by Senator Potts: An act relating to malicious mischief and felonious mischief or injury to personal property, etc., and fixing penalties therefor.

The bill was read the first time, and on motion of Senator Potts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 105, by Senator Potts: An act appropriating the sum of $5,000 for carrying out the purpose of that certain act entitled "An act to provide for the acquirement, management and control by the State of Washington, of grounds surrounding and including what was the Whitman Mission, and where now stands the Whitman monument, and authorizing the appointment of a commission," approved March 18, 1901.

The bill was read the first time, and on motion of Senator Potts the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 106, by Senator Welsh: An act providing for the amendment of section 16 of article one (1) of the Constitution of the State of Washington, relating to the exercise of the power of eminent domain.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 107, by Senator O'Donnell: An act to establish and maintain a state fish hatchery on the Humptulips river, Chehalis county, Washington, and making an appropriation therefor.

The bill was read the first time, and on motion of Senator O'Donnell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate bill No. 108, by Senator Smith (J. J.): An act to provide against the adulteration and sale of meal or ground grain used for feeding farm live stock, declaring the same a misdemeanor, providing a penalty therefor, etc.

The bill was read the first time, and on motion of Senator

Smith (J. J.) the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dairy and Live Stock.

Senate bill No. 109, by Senator Ruth: An act defining who is a manufacturer, refiner, rectifier, distiller and brewer, and providing for the levying and collecting of an excise tax on the manufacture of spiritous and malt liquors, etc., and providing penalites.

The bill was read the first time, and on motion of Senator Ruth the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 110, by Senator Ruth: An act to confirm the title to and perfect the conveyances of certain tide lands heretofore sold by the State of Washington.

The bill was read the first time, and on motion of Senator Ruth the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

GENERAL FILE.

Engrossed copy, Senate bill No. 4, by Senator Tucker: "An act authorizing the incorporation of fire department relief associations," etc., was placed on its third reading.

Senator Veness moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Tucker, Senate bill No. 4 was made special order for Thursday, February 2, 1905, at 11 o'clock a. m

Senate bill No. 16, by Senator Pauly: "An act authorizing cities to fix and determine the price to be charged for water, gas, electric light, electric power," etc., was placed on its third reading.

On motion of Senator Pauly Senate bill No. 16 was re-referred to the Committee on Judiciary.

At 3:15 p. m., on motion of Senator Tucker, the Senate adjourned until 11 o'clock a. m. Tuesday, January 31, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWENTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYPIA, WASHINGTON, Tuesday, January 31, 1905.
11 o'clock a. m.

The Senate was called to order at 11 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. W. S. Crockett offered prayer.

The secretary called the roll, all members being present except Senators Boone, Graves, Hunter and Sharp, all excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

The following resolution was, on motion of Senator Smith (Dr. J. J.), referred to the Committee on Rules and Joint Rules:

Resolved, **That rule 10, of the standing rules of the Senate, be amended by adding the following paragraph:**

"All Senate employes shall remain on duty daily during the hours designated by the secretary and sergeant-at-arms, respectively. Failure to comply with this requirement will work a forfeiture of one day's salary in each case of delinquency on being reported to the president of the Senate."

Senate joint memorial No. 7, by Senator Rands: Memorializing congress of the United States, relating to the granting of substantial recognition for services rendered in the Indian uprising of 1856, was given its first reading.

On motion of Senator Rands, the rules were suspended, the memorial was read second time by title and referred to the Committee on Memorials.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred Senate bill No. 3, entitled "An act relating to adulteration

of milk," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred Senate bill No. 46, entitled "An act for the regulation of the manufacture and sale of vinegar," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., January 30, 1905.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 45, entitled "An act to amend section 6 of an act entitled 'An act making provisions for the incorporation of cemetery associations," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. F. CLAPP, Chairman.

We concur in this report: John T. Welsh, J. R. O'Donnell, M. E. Stansell, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., January 30, 1905.

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 71, entitled "An act relative to private corporations," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

After the word "corporations," in line 2 of the title of the printed bill, add the words, "and declaring an emergency."

Add section 2 to the bill to read as follows:

"Section 2. An emergency exists and this act shall take effect immediately."

C. F. CLAPP, Chairman.

We concur in this report: John T. Welsh, J. R. O'Donnell, M. E. Stansell, J. J. Smith.

On motion of Senator Clapp the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 36, entitled "An act authorizing and empowering any corporation to subscribe for, and to acquire by purchase or otherwise, and hold, own, sell, assign and transfer shares of the capital stock of another corporation and to participate in and vote said stock at any and all stockholders' meetings, and validating existing holdings of stock by corporations," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Walter Christian, R. M. Kinnear, E. B. Palmer, Wm. Hickman Moore.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 64, entitled "An act to amend section 1 of an act entitled 'An act to regulate the employment of child labor and to prohibit the employment of females under the age of eighteen years as public messengers,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Christian, S. S. Russell, R. M. Kinnear, Wm. Hickman Moore.

On motion of Senator Rands the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 83, entitled "An act amending section 6403, Ballinger's Annotated Codes and Statutes of Washington, relating to bonds of guardians and prescribing the requirements thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Chirstian, S. S. Russell, R. M. Kinnear, E. B. Palmer, Wm. Hickman Moore.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

The House has passed House bill No. 7, entitled "An act authorizing the assessment of lands held or owned by the State of Washington within limits of incorporated cities or towns for local improvements."

Also House concurrent resolution No. 5, providing for the appointment of a committee to examine reports of state officials.

And the same are herewith transimtted.

STOREY BUCK, Clerk of the House.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 84, entitled "An act providing for the suspension and withholding of sentence of persons under the age of twenty-one years who have been convicted of a misdemanor or felony in the superior courts of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended as follows and placed on general file:

In line 2, section 1 of the printed bill, strike the words "for and (any) county."

In lines 7 and 8, section 2 of the printed bill, strike out the words "of the person so convicted."

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Christian, S. S. Russell, R. M. Kinnear, Wm. Hickman Moore.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 86, entitled "An act relating to the employment of special attorneys and counsel by county commissioners, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended as follows and placed on general file:

In lines 1 and 2, title of the printed bill, strike the words "and declaring an emergency."

Strike out section 2 of the printed bill.

Strike out section 3 of the printed bill.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Chirstian, S. S. Russell, R. M. Kinnear, E. B. Palmer, Wm. Hickman Moore.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We. your Committee on Judiciary, to whom was referred Senate bill No. 94, entitled "An act to prevent the fraudulent removal, sale, disposition of, encumbrance or destruction of personal property and to provide punishment for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Christian, S. S. Russell, R. M. Kinnear, E. B. Palmer, Wm. Hickman Moore.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We your Committee on Judiciary, to whom was referred House bill No. 67, entitled "An act amending section 6561 of Ballinger's Annotated Codes and Statutes of Washington, same being section 2904 of Pierce's Washington Code, relating to security for costs in justice courts," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 5, section 1 of the printed bill, strike the words "before or" and substitute the words "in a sum not exceeding fifty dollars" therefor.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Christian, S. S. Russell, R. M. Kinnear, E. B. Palmer, Wm. Hickman Moore.

On motion of Senator Rands the report of the committee was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 81, entitled "An act to regulate the practice of osteopathy," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, W. E. Bronson, R. W. Condon, Charles T. Hutson.

INTRODUCTION OF BILLS.

Senate bill No. 111, by Senator Stewart: An act to amend sections 6, 7, 12 and 18 of an act entitled "An act to promote the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commissioner of horticulture, etc.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Horticulture and Forestry.

Senate bill No. 112, by Senator Veness: An act to establish a state fish hatchery on the Chehalis river, in Lewis county, in the State of Washington.

The bill was read the first time, and on motion of Senator Veness the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate bill No. 113, by Senator Welsh: An act to establish and maintain a home for the indigent, blind, aged and infirm, and making an appropriation therefor and declaring an emergency.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Charitable Institutions.

Senate bill No. 114, by Senator Hammer: An act to amend sections 3, 9 and 24 of an act entitled "An act to provide for the

establishment and creation of drainage districts, and the construction and maintenance of a system of drainage and to provide the means of payment therefor," etc.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dykes, Drains and Drainage.

Engrossed copy, House bill No. 67: An act amending section 6561 of Ballinger's Annotated Codes and Statutes of Washington, same being section 2904 of Pierce's Washington Code, relating to security for costs in justice courts.

The bill was read the first time, and on motion of Senator Christian the rules were suspended, the bill was read second time by title and referred to the Committee on Cities of the First Class.

GENERAL FILE.

Engrossed copy, Senate bill No. 81, by Senator Wilson: "An act to regulate the practice of osteopathy," etc., "and declaring an emergency," was given its third reading.

On motion of Senator Wilson, the bill was amended by inserting after the word "affirmative," in line 5 of section 2, the word "vote."

Senator Henry moved that the bill be referred to the Committee on Miscellaneous.

The motion was lost.

On motion of Senator Henry the bill was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Hutson, Kennedy, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—28.

Those voting nay were: Senators Davis, Earles, Hammer, Hemrich, Henry, Kinnear, Palmer, Rasher, Smith (S. T.)—9.

Those absent or not voting were: Senators Boone, Graves, Hunter, Moore, Sharp—5.

The emergency clause of Senate bill No. 81 was lost by the following vote:

Those voting yea were: Senators Ruth, Van de Vanter—2.

Those voting nay were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Boone, Graves, Hunter, Sharp—4.

On motion of Senator Wilson, the words "and declaring an emergency" were stricken from the title of the act.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 3, by Senator Tucker: "An act prohibiting the sale of milk in which formaldehyde or other poisonous substances shall have been mixed," etc., was given its third reading, and on motion of Senator Tucker placed on its final passage.

The secretary called the roll and the bill was passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer,, Pauly, Pogue, Potts, Sands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators Boone, Earles, Hunter, O'Donnell, Sharp—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 46, by Senator Henry: "An act for the regulating the manufacture and sale of vinegar," etc., was given its third reading and on motion of Senator Henry placed on final passage, and passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith

Those absent or not voting were: Senators Baker, Boone, Graves, Hunter, O'Donnell, Sharp—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 45, by Senator Pauly: "An act to amend section 6 of an act entitled 'An act making provisions for the incorporation of cemetary associations,'" etc., was given its third reading, and on motion of Senator Pauly placed on its final passage, and was passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—36.
Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Boone, Graves, Hunter, Sharp, Stewart—6.

On motion of Senator Welsh the words "A bill for" were stricken from the title of the act.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 36, by Senator Christian: "An act authorizing and empowering any corporation to buy, hold," etc., "capital stock in another corporation," etc., was given its third reading and on motion of Senator Christian placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hutson, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—33.

Senator Smith (Dr. J. J.) voted nay.

Those absent or not voting were: Senators Baker, Boone, Graves, Hunter, Kennedy, Sharp, Stewart, Sumner—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 64, by Senator Davis: "An act to amend section one (1) of an act relating to the employment of child labor."

Senate bill No. 64 was given its third reading and on motion of Senator Davis placed on its final passage:

The bill was lost by the following vote:

Those voting yea were: Senators Bronson, Brown, Christian, Condon, Davis, Hammer, Henry, Le Crone, Moore, O'Donnell, Potts, Russell, Ruth, Smith (S. T.), Tucker, Watson, Wilson—17.

Those voting nay were: Senators Baker, Bratt, Clapp, Earles, Hemrich, Hutson, Kennedy, Palmer, Pauly, Pogue, Rands, Rasher, Reed, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Veness, Welsh—19.

Those absent or not voting were: Senators Boone, Graves, Hunter, Kinnear, Sharp, Van de Vanter—6.

On motion of Senator Davis there was ordered printed 250 additional copies of Senate bill No. 92.

On motion of Senator Potts there was ordered printed 100 additional copies of Senate bill No. 9.

At 12:30, on motion of Senator Baker, the Senate adjourned until 10:30 o'clock a. m. Wednesday, February 1st, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWENTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 1, 1905.
10:30 o'clock a. m.

The Senate was called to order at 10:30 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. R. M. Hayes offered prayer.

The secretary called the roll, all members being present except Senators Boone, Sharp and Tucker, all excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

The following resolution by the Committee on Rules and Joint Rules, was read by the secretary:

***Resolved*, That rule No. 6 of the standing rules of the Senate be amended by adding to the list of standing committees, a Committee on Game and Game Fish, to consist of seven members, and a Committee on Insurance, to consist of seven members.**

The president announced that under the rules the resolution would go over until tomorrow.

On motion of Senator Stewart, House concurrent resolution No. 5, providing for the appointment of a committee of two members of the Senate and three members of the House to consider the reports of the several state officers, etc., was adopted.

The president appointed as such a committee on the part of the Senate, Senators Bronson and Smith (S. T.).

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules, to whom was referred the proposed amendments to rules 10 and 30 of the standing rules of

the Senate, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they be adopted.

We also recommend that rule 6 of the standing rules of the Senate be amended by adding to the list of standing committees of the Senate a Committee on Game and Game Fish, to consist of seven members, and a Committee on Insurance, to consist of seven members.

Respectfully submitted.

CHARLES E. COON, Chairman.

We concur: Geo. H. Baker, J. J. Smith, C. F. Clapp, Lincoln Davis.

On motion of Senator Davis the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 26, entitled "An act to amend the law relating to liens for labor and material," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee.

LINCOLN DAVIS, Chairman.

We concur in this report: J. A. Veness, W. H. Henry, J. R. O'Donnell, C. F. Clapp, R. W. Condon.

On motion of Senator Davis the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred Senate bill No. 85, entitled "An act providing for sanitary conditions in hotel and restaurant kitchens, and providing penalties for non-compliance therewith," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred Senate bill No. 90, entitled "An act providing a system of registration of births, deaths," etc., have had the same under consid-

eration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred Senate bill No. 32, entitled "An act in relation to the recovery of damages for the death of a person caused by the wrongful act or neglect of another," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. HEMRICH, Chairman.

We concur in this report: John T. Welsh, G. B. Wilson, W. E. Bronson, R. W. Condon.

I non-concur: S. T. Smith.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No 71, entitled "An act relating to private corporations," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, R. W. Condon, W. E. Bronson, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 84. entitled "An act providing for the suspension and withholding of sentences of persons under the age of twenty-one years," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, R. W. Condon, W. E. Bronson, Charles T. Hutson.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 86, entitled "An act relating to the employment of special attorneys and counsel by county commsisioners," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, R. W. Condon, W. E. Bronson, Charles T. Hutson.

INTRODUCTION OF BILLS.

Senate bill No. 115, by Senator Bratt: An act relating to the drawing and summoning of grand juries.

The bill was read the first time, and on motion of Senator Bratt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 116, by Senator Veness: An act permitting the sale of the State's granted timber lands in such a manner as to realize the greatest revenue for the State.

The bill was read the first time, and on motion of Senator Veness the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 117, by Senator Veness: An act to promote the re-forestering of the State's timber land after the existing timber thereon has been removed therefrom.

The bill was read the first time, and on motion of Senator Veness the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 118, by Senator Reed: An act relating to stock running at large in certain districts.

The bill was read the first time, and on motion of Senator Reed the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Dairy and Live Stick.

Senate bill No. 119, by Senator Reed: An act to promote the agricultural interests of the State of Washington, providing for county inspectors of apiaries, defining their duties, and providing for their compensation.

The bill was read the first time, and on motion of Senator Reed the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Agriculture.

Senate bill No. 120, by Senator Rasher: An act to amend section 5355 of Ballinger's Codes and Statutes of the State of Washington (section 515 of Pierce's Code) relating to attachments and garnishments, as the same was amended by an act of the Legislature of the State of Washington, approved March 6, 1903.

The bill was read the first time, and on motion of Senator Rasher the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 121, by Senator Rasher: An act appropriating the sum of six thousand dollars for the use and benefit of the Florence Crittenton rescue work for the State of Washington.

The bill was read the first time, and on motion of Senator Rasher the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 122, by Senator Welsh: An act to establish a code of probate law and procedure, including administration of estates of deceased persons and repealing all existing laws relating thereto.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 123, by Senator O'Donnell: An act prohibiting the use of misrepresentation, false advertising, false pretenses, in procuring employes to work in any department of labor in this State, and fixing a penalty for the violation thereof.

The bill was read the first time, and on motion of Senator O'Donnell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 124, by Senator Baker: An act to provide for submitting the question of changing the permanent location of the seat of government from Olympia, Thurston county, Washington, to Tacoma, Pierce county, Washington, to the vote of the people.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 125, by Senator Rands: An act to provide for compensating volunteers for the service of the Territory of Washington during the Indian wars of 1855 and 1856, for such services, and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

House bill No. 20: An act to amend sections 1, 2 and 7 of an act entitled "An act to provide for the committing of juvenile offenders to the state reform school at Chehalis," approved March 7, 1891.

The bill was read the first time, and on motion of Senator Davis the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 14: An act to provide for the punishment of parents or persons responsible for, or contributing to the delinquency of children under the age of seventeen years.

The bill was read the first time, and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 2: An act to provide for the apprehension, detention, trial, treatment and control of delinquent children, etc.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 26: An act for the relief of Garfield county.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 47: An act for the relief of Joseph Canutt.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 93: An act for the relief of examiners of teachers' papers for certificates in the state superintendent's office.

The bill was read the first time, and on motion of Senator Reed the rules were suspended, the bill was read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 52: An act to amend section 6 of an act entitled "An act making provisions for the incorporation of cemetery associations," etc.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 30: An act in relation to estrays, providing penalties for the violation thereof.

The bill was read the first time, and on motion of Senator Davis the rules were suspended, the bill was read the second time time by title, and referred to the Committee on Judiciary.

House bill No. 88: An act amending section No. 6754 of Ballinger's Annotated Codes and Statutes of Washington, being section 3034 of Pierce's Code of the State of Washington relating to appeals from justice courts in civil actions.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

GENERAL FILE.

Engrossed copy of Senate bill No. 71, by Senator Moore: "An act to amend section 4251 of Ballinger's Annotated Codes and Statutes of Washington (Pierce's Code, section 7054), relating to the organization and management of private corporations," was placed on its third reading.

On motion of Senator Moore the word "article," in line 10 of section 1 of the printed bill, being in line 11 of section 1 of the engrossed bill, was stricken out, and the word "articles" inserted in lieu thereof.

On motion of Senator Moore the bill was placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (S. T.), Stansell, Stewart, Sumner, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Boone, Graves, Ruth, Sharp, Smith (Dr. J. J.), Tucker, Van de Vanter—7.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Earles, Hammer, Hemrich, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Russell, Ruth, Smith (S. T.), Stewart, Sumner, Veness, Welsh, Wilson—29.

Those absent or not voting were: Senators Boone, Condon, Davis, Graves, Hunter, Kinnear, Reed, Sharp, Smith (Dr. J. J.), Stansell, Tucker, Van de Vanter, Watson—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 84, by Senator Moore: "An act providing for the suspension and withholding of sentence of persons under the age of twenty-one years who have been convicted of a misdemanor or felony in the superior courts of the State of Washington," was placed on its third reading and, on motion of Senator Moore placed on final passage.

The secretary called the roll and Senate bill No. 84 passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Hammer, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Van de Vanter, Wilson—26.

Those voting nay were: Senators Hemrich, Palmer, Stewart, Veness, Watson, Welsh—6.

Those absent or not voting were: Senators Baker, Boone, Christian, Graves, Kinnear, Sharp, Smith (Dr. J. J.), Stansell, Sumner, Tucker—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 86, by Senator Rasher: "An act relating to the employment of special attorneys and counsel by county commissioners, and declaring an emergency," was placed on its third reading and on motion of Senator Rasher placed on final passage.

Senate bill No. 86 passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Van de Vanter, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Boone, Graves, Kinnear, Sharp, Smith (Dr. J. J.), Sumner, Tucker—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 83, by Senator Moore: "An act amending section 6403, Ballinger's Annotated Codes and Statutes of Washington, relating to bonds of guardians and prescribing the requirements thereof," was given its third reading and on motion of Senator Moore placed on final passage.

Senate bill No. 83 passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Earles, Hammer, Hemrich, Henry,

Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Van de Vanter, Veness, Watson, Welsh, Wilson —33.

Those absent or not voting were: Senators Boone, Davis, Graves, Kinnear, Palmer, Sharp, Smith (Dr. J. J.), Sumner, Tucker—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 94, by Senator Rasher: "An act to prevent the fraudulent removal, sale, disposition of, encumbrance or destruction of personal property, and to provide punishment for the violation thereof," was given its third reading and on motion of Senator Rasher placed on its final passage.

Senate bill No. 94 passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Clapp, Condon, Earles, Hammer, Heinrich, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Van de Vanter, Veness, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Boone, Bratt, Christian, Davis, Graves, Hunter, Kinnear, Sharp, Smith (Dr. J. J.), Sumner, Tucker—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 32, by Senator Welsh: "An act in relation to the recovery of damages for the death of a person caused by the wrongful act or neglect of another," was given its third reading and on motion of Senator Welsh placed on its final passage.

The secretary called the roll and the bill passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Potts, Rands, Reed, Ruth, Stansell, Van de Vanter, Veness, Watson, Welsh, Wilson—24.

Those voting nay were: Senators Hutson, Kennedy, Moore, Pogue, Rasher, Russell, Smith (Dr. J. J.), Smith (S. T.), Stewart —9.

Those absent or not voting were: Senators Baker, Boone, Brown, Christian, Graves, Hunter, Sharp, Sumner, Tucker—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

The House has passed House bill No. 88, an act relating to appeals to superior courts.

Also House bill No. 30, an act in relation to estrays.

Also House bill No. 52, an act making provisions for the incorporation of cemetery associations.

Also House bill No. 93, for the relief of Dora W. Cryderman, and others.

Also House bill No. 47, an act for the relief of Joseph Canutt.

Also House bill No. 26, an act for the relief of Garfield county.

Also House bill No. 2, an act to provide for the apprehension, detention, trial, treatment and control of delinquent children.

Also House bill No. 14, providing for the punishment of parents responsible for the delinquency of children.

Also House bill No. 20, an act to provide for the committing of juvenile offenders to the state reform school at Chehalis.

Also Senate bill No. 12, an act providing for appointment of an additional judge of King county, etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

In pursuance to House concurrent resolution No. 5, the speaker has appointed the following members of the House, as members of joint committee to consider reports and recommendations of state officials, viz: Messrs. Dawes, Kellogg and Strobridge.

STOREY BUCK, Clerk of the House.

Senate bill No. 90. by Senator Wilson: "An act to provide a system of registration of births and deaths," etc., was given its third reading.

On motion of Senator Brown the word "and," in line 10 of section 5 of the printed bill, was stricken out.

On motion of Senator Wilson, Senate bill No. 90 was placed on its final passage.

The secretary called the roll and the bill passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Welsh, Wilson—28.

Those voting nay were: Senators Veness, Watson—2.

Those absent or not voting were: Senators Baker, Boone, Earles, Graves, Hunter, O'Donnell, Sharp, Stansell, Stewart, Sumner, Tucker, Van de Vanter—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 85, by Senator Moore: "An act providing for sanitary conditions in hotel and restaurant kitchens, and providing penalties for non-compliance therewith," was placed on its third reading, and on motion of Senator Moore placed on final passage.

The secretary called the roll and Senate bill No. 85 passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr J. J.), Smith (S. T.), Stewart, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Baker, Boone, Earles, Graves, Kinnear, Sharp, Sumner, Tucker, Van de Vanter, Stansell—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 67: "An act amending section 6561 of Ballinger's Annotated Codes and Statutes of the State of Washington," etc., relating to security for costs in justice courts, was given its third reading, and on motion of Senator Welsh placed on final passage.

The secretary called the roll and the bill was passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Boone, Earles, Graves, Kinnear, O'Donnell, Sharp, Stansell, Sumner, Tucker, Van de Vanter—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Moore it was ordered that 250 additional copies of Senate bill No. 75 be printed.

On motion of Senator Smith (Dr. J. J.), the following resolution, which was read first time yesterday, was adopted:

Resolved, **That rule 10 of the standing rules of the Senate be amended by adding the following paragraph:**

"All Senate employes shall remain on duty daily during the hours designated by the secretary and sergeant-at-arms, respectively. Failure to comply with this requirement will work a forfeiture of one day's salary in each case of delinquency on being reported to the president of the Senate."

On motion of Senator Christian the rules were suspended, and all bills passed by the Senate yesterday and today ordered transmitted to the House immediately.

In accordance with notice heretofore submitted, on motion of Senator Baker, the following resolution was adopted as an amendment to the standing rules of the Senate:

Resolved, **That Senate rule No. 30 be amended to read as follows:**

"RULE 30. Unless otherwise ordered, 350 copies of all bills of a general nature originating in the Senate shall be printed for the use of the Senate and House of Representatives, and such other bills and matter shall be printed as may be ordered by the Senate."

On motion of Senator Rands the Senate adjourned at 12:20 o'clock p. m.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWENTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 2, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senators Boone, Graves and Sharp, excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 2, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred Senate bill No. 88, entitled "An act amending an act relating to the practice of medicine and surgery," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., January 31, 1905.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate bill No. 96, entitled "An act to amend section 2757 of Ballinger's Annotated Codes and Statutes of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED M. PAULY, Chairman.

W concur in this report: A. L. Watson, S. S. Russell, W. G. Potts, G. B. Wilson, E. Hammer, A. Hemrich.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No 65, entitled "An act to establish a state fish hatchery on the Toutle river, or some of its tributaries, in Cowlitz county, in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. JOHN T. WELSH, Chairman.

We concur in this report: A. L. Watson, R. W. Condon, E. Hammer, Geo. H. Baker, Lincoln Davis, T. B. Sumner.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 82, entitled "An act to provide for the erection of screens at the head of irrigating, mill, or electric light flumes or ditches, or canals, for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches or canals, and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: A. L. Watson, R. W. Condon, E. Hammer, Geo. H. Baker, Lincoln Davis, T. B. Sumner.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 107, entitled "An act to establish and maintain a state fish hatchery on the Humptulips river, Chehalis county, Washington, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend by inserting between what are now section 1 and section 2, the following, to be known as section 2:

"That if after investigation the state fish commissioner finds the Humptulips river, Chehalis county, Washington, a suitable stream for the location of a salmon hatchery, he is hereby authorized and directed to establish and maintain a state salmon hatchery on said Humptulips river in Chehalis county."

Amend by making what is now section 2, section 3.

JOHN T. WELSH, Chairman.

We concur in this report: A. L. Watson, R. W. Condon, E. Hammer, Geo. H. Baker, Lincoln Davis, T. B. Sumner.

On motion of Senator Welsh the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred House bill No. 93, entitled "An act for the relief of examiners of teachers' papers for certificates in the state superintendent's office," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER, Chairman.

We concur in this report: John T. Welsh, S. T. Smith, Fred M. Pauly, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred House bill No. 26, entitled "An act for the relief of Garfield county," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER, Chairman.

We concur in this report: S. T. Smith, Fred M. Pauly, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred House bill No. 47, entitled "An act for the relief of Joseph Canutt," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER, Chairman.

We concur in this report: S. T. Smith, Fred M. Pauly, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 57, entitled "An act for the relief of John H. Willms," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER, Chairman.

We concur in this report: S. T. Smith, Fred M. Pauly, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 48, entitled "An act making an appropriation for the relief of the Capitol National Bank for money advanced for the maintainence of the state capitol," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER, Chairman.

We concur in this report: John T. Welsh, O. A. Tucker, Fred M. Pauly, S. T. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., February 2, 1905.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 124, entitled "An act to provide for submitting the question of changing the permanent location of government from Olympia, Thurston county, Washington, to Tacoma, Washington, to vote of people," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. M. LE CRONE, Chairman.

We concur in this report: Walter Christian, J. J. Smith, Charles T. Hutson, Walter J. Reed.

INTRODUCTION OF BILLS.

Senate bill No. 126, by Senator Rands: An act permitting railroad companies to acquire a perpetual easement and right of occupancy of portions of the public lands of the State of Washington for railroad purposes.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 127, by Senator Rands: An act to apportion the State of Washington into congressional districts.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Congressional Districts.

Senate bill No. 128, by Senator Wilson: An act to amend an act to prevent the spread of contagious diseases.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry and Hygiene.

GENERAL FILE.

Senate bill No. 88, by Senator Wilson: "An act to amend section 3 of an act entitled, 'An act to regulate the practice of medicine and surgery in the State of Washington,'" etc., was read the third time.

On motion of Senator Rands the word "and" in line 3 of section 3 of the printed bill was stricken out.

On motion of Senator Wilson the bill was placed on final passage.

The secretary called the roll and the bill passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—37.

Absent or not voting were: Senators Baker, Boone, Graves. Moore, Sharp—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 96, by Senator Russell: An act to amend section 2757 of Ballinger's Annotated Codes and Statutes of Washington, fixing the penalty for unlawfully assisting prisoners to escape from the state penitentiary, etc., was read the third time and on motion of Senator Russell placed on final passage.

Senate bill No. 96 passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J.

J.), Smith (S. T.), Stewart, Sumner, Van de Vanter, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Boone, Clapp, Graves, Kinnear, Moore, Russell, Sharp, Stansell, Tucker—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 65, by Senator Watson: An act to establish a state fish hatchery on the Toutle river, or some of its tributaries, in Cowlitz county, in the State of Washington.

On motion of Senator Rands the Senate resolved itself into a committee of the whole to consider Senate bill No. 65.

The bill was considered in the committee of the whole, Senator Christian in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendment:

That the words "and making an appropriation therefor" be added to the title of the act.

On motion of Senator Rands the report of the committee was adopted.

On motion of Senator Hammer the rules were suspended and the reading of the bill had in the committee of the whole considered its third reading.

On motion of Senator Watson the bill was placed on final passage, and was passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Henrich, Henry, Hunter, Hutson, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh—34.

Those absent or not voting were: Senators Boone, Graves, Kinnear, Moore, Sharp, Sumner, Van de Vanter, Wilson—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 82, by Senator Pogue: "An act to provide for the erection of screens at the head of irrigating, mill, or electric light flumes, or ditches, or canals, for the purpose of preventing mountain trout or other food fish from entering said

flumes," etc., was read third time and on motion of Senator Pogue placed on final passage.

The bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Heinrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Van de Vanter, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators Boone, Graves, Sharp, Sumner, Veness—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Baker, the resolution of the Committee on Rules and Joint Rules, which was read yesterday, was adopted as follows:

***Resolved*, That rule No. 6 of the standing rules of the Senate be amended by adding to the list of standing committees, a Committee on Game and Game Fish, to consist of seven members, and a Committee on Insurance, to consist of seven members.**

On motion of Senator Baker, the rules were suspended, Senate bill No. 124, by Senator Baker: "An act to provide for submitting the question of changing the permanent location of the seat of government from Olympia, Thurston county, Washington, to Tacoma, Pierce county, Washington, to the vote of the people," was read third time.

Senator Palmer moved to amend by striking out the last proviso, and inserting in lieu thereof the following:

"*Provided*, That the county of Pierce shall donate to the State a site and an amount equal to the amount already expended in Thurston county."

The motion was lost.

Senator Ruth moved that the consideration of Senate bill No. 124 be made special order for Monday, February 6, 1905, at 2 o'clock p. m. The motion was lost.

On motion of Senator Tucker, the consideration of Senate bill No. 4, which was special order for 11 o'clock a. m. today, was postponed until 11:30 today.

On motion of Senator Baker, Senate bill No. 124 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Clapp, Condon, Davis, Hammer, Hemrich, Hunter, Hutson, Kinnear, Le Crone, Pauly, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh—26.

Those voting nay were: Senators Bratt, Earles, Henry, Kennedy, O'Donnell, Palmer, Pogue, Potts, Rasher, Veness, Watson, Wilson—12.

Those absent or not voting were: Senators Boone, Graves, Moore, Sharp—4.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senator Ruth gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 124 passed the Senate.

The president announced the appointment of the following standing committees:

Committee on Game and Game Fish—Senator Palmer, chairman; Rands, Hemrich, Stansell, Stewart, Potts, Boone.

Committee on Insurance—Senator Veness, chairman; Baker, Clapp, Davis, Smith (J. J.), Rasher, Hutson.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 2, 1905.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 67, amending section 6561 of Ballinger's Code, relating to security for costs in justice courts, and the speaker of the House has signed said bill.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 1, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 12, entitled "An act providing for the appointment of an additional

judge in King county," etc., "and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: O. A. Tucker, Wm. Hickman Moore, H. Rasher, C. G. Brown.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 2, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 12, entitled "An act providing for six judges of the superior court of King county."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

The president signed Senate bill No. 12; also House bill No. 67.

The hour of 11:30 having arrived, the Senate considered Senate bill No. 4, by Senator Tucker: "An act authorizing the incorporation of Fire Department Relief Associations," etc.

On motion of Senator Tucker the Senate resolved itself into a committee of the whole to consider Senate bill No. 4.

The bill was considered in the committee of the whole, Senator Palmer in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Tucker the report of the committee was adopted, the reading had in the committee of the whole considered the third reading of the bill, and the bill placed on final passage.

Senate bill No. 4 passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Christian, Clapp, Condon, Davis, Earles, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Potts, Reed, Smith (Dr. J. J.), Stansell, Tucker, Van de Vanter, Wilson—23.

Those voting nay were: Senators Bratt, Brown, Hammer, Henry, Palmer, Pogue, Rasher, Russell, Smith (S. T.), Stewart, Veness, Watson—12.

Those absent or not voting were: Senators Boone, Graves, Rands, Ruth, Sharp, Sumner, Welsh—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

At 11:50 a. m., on motion of Senator Palmer, the Senate adjourned until 9:00 o'clock a. m. Friday, February 3, 1905.

J. W. LYSONS, *Secretary of the Senate.*

CHARLES E. COON, *President of the Senate.*

TWENTY-SIXTH DAY

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 3, 1905.
9 o'clock a. m.

The Senate was called to order at 9 o'clock a. m. by President Coon, pursuant to adjournment.

The secretary called the roll, all members being present except Senators Graves, excused; Sharp, excused; Sumner, Van de Vanter, excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

On motion of Senator Tucker, Senate concurrent resolution No. 12 was adopted, as follows:

Resolved by the Senate, the House concurring, **That the secretary of the Senate and the chief clerk of the House be instructed to prepare and have printed 750 legislative manuals similar to the manuals published by the Eighth Legislature.**

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 3, 1905.

MR. PRESIDENT:

Your Committee on Engrossed bills, to whom was referred Senate bill No. 107, entitled "An act to establish and maintain a state fish

hatchery on the Humptulips river," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, S. S. Russell.

SENATE CHAMBER,
OLYMPIA, WASH., February 6, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 96, entitled "An act amending section 2757 of Ballinger's Annotated Codes and Statutes of Washington," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, W. E. Bronson.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 3, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 48 entitled "An act to amend section 5173 of Ballinger's Annotated Codes and Statutes of Washington, the same being section 1110 of Pierce's Washington Code, relating to costs in civil actions," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Christian, S. S. Russell, R. M. Kinnear, Wm. Hickman Moore.

INTRODUCTION OF BILLS.

Senate bill No. 129, by Senator Palmer: An act to amend sections 1, 2, 3 and 6 of an act entitled "An act to provide for the extermination of coyotes," etc.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

Senate bill No. 130, by Senator Reed: An act to amend section 5 of an act entitled "An act to provide for the enrollment of the militia."

The bill was read the first time, and on motion of Senator Reed the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Military.

Senate bill No. 131, by Senator Sumner: An act creating a board of tax commissioners and defining its powers and duties, and declaring an emergency.

The bill was read the first time, and on motion of Senator Sumner the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate bill No. 132, by Senator Hunter: An act relating to the presentation of claims for damages against cities and towns in this State.

The bill was read the first time, and on motion of Senator Hunter the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Municipal Corporations.

Senate bill No. 133, by Senator Hammer: An act authorizing the assessment of lands held or owned by the State of Washington, within the limits of diking or drainage districts in any county within the State, and providing for the payment of such assessments.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dykes, Drains and Drainage.

Senate bill No. 134, by Senator Tucker: An act making an appropriation for the construction of a library building and a chemistry building at the University of Washington.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 135, by Senator Kinnear: An act providing for the election of the clerk of the supreme court, fixing the term of office and providing for his salary.

The bill was read the first time, and on motion of Senator Kinnear the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Judiciary.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., February 3, 1905.

To the Senate:

I am directed by the Governor to inform you that he has this day approved Senate bill No. 12, entitled: "An act providing for six judges of the superior court of the State of Washington, in and for King county, and fixing the term of office of the additional judge appointed, and providing for the election of a judge at the general election in November, 1906, and providing for the election of six judges at the general election in November, 1908, and every four years thereafter, and declaring an emergency."

A. N. BROWN, Private Secretary.

At 9:20 a. m., on motion of Senator Palmer, the Senate adjourned until 2:30 o'clock p. m. Monday, February 6, 1905.

J. W. LYSONS, *Secretary of the Senate.*

CHARLES E. COON, *President of the Senate.*

TWENTY-NINTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 6, 1905.
2:30 o'clock p. m.

The Senate was called to order at 2:30 o'clock p. m., by President Coon, pursuant to adjournment.

Rev. J. W. Satterthwaite offered prayer.

The secretary called the roll, all members being present except Senators Condon, excused; Graves, excused; Henry, excused; Hunter, Kennedy, excused; Kinnear, excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

Senator Ruth moved that the vote by which Senate bill No. 124 passed the Senate be reconsidered.

Roll call was demanded by Senators Palmer, Ruth, Potts, Earles, Rasher, O'Donnell, Veness.

The secretary called the roll and the motion was lost by the following vote:

Those voting yea were: Senators Brown, Earles, Moore, O'Donnell, Palmer, Pogue, Potts, Rasher, Reed, Ruth, Veness, Watson—12.

Those voting nay were: Senators Baker, Boone, Bratt, Bronson, Christian, Clapp, Davis, Hammer, Henrich, Hutson, Le Crone, Pauly, Rands, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Wilson—23.

Those absent or not voting were: Senators Condon, Graves, Henry, Hunter, Kennedy, Kinnear, Sharp—7.

The following communication from the Legislative Assembly of the Territory of Arizona was read by the secretary, and on motion of Senator Rands referred to the Committee on Memorials:

HOUSE CONCURRENT RESOLUTION NO. 10.

Resolved by the House of Representatives of the Twenty-third Legislative Assembly of the Territory of Arizona, the Council concurring: That we appeal to the justness and fairness of the members of the various State Legislatures now in session, and call upon them to request and urge their respective representatives in the Senate of the United States to give careful and just consideration to the protest and objections advanced by the citizens of the Territory of Arizona against the passage of the measure now pending before the Senate of the United States designed and seeking to make one state of the Territories of Arizona and New Mexico.

Resolved, That the speaker of the House and the president of the Council be instructed, and they are hereby directed, to send a copy of this resolution to the various State Legislatures that are now in session.

Passed the House by unanimous vote.

Passed the Council by unanimous vote.

(Signed)
WILFRED T. WEBB,
Speaker of the House.

(Signed)
J. P. DILLON,
Chief Clerk of the House.

(Signed)
GEO. W. P. HUNT,
President of the Council.

(Signed)
R. S. MACLAY,
Chief Clerk of the Council.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., February 6, 1905.

MR. PRESIDENT:

The House has passed House bill No. 164, entitled: "An act to provide for the organization of companies for the improvement of rivers and streams."

Also House bill No. 100, creating the office of chaplain of the penitentiary.

Also House bill No. 54, providing against the adulteration of food.

Also House bill No. 117, fixing salaries of county commissioners.

Also House concurrent resolution No. 6, for the appointment of a committee to visit the state reform school.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

COMMUNICATION FROM PORTLAND CHAMBER OF COMMERCE.

PORTLAND, OREGON, February 3, 1905.

Hon. E. M. Rands, State Senate, Olympia, Wash.

DEAR SIR: On behalf of the Open River Committee of the Chamber of Commerce of Portland, Oregon, I desire to thank you, and through you the Legislative Assembly of the State of Washington, for your and their interest in the opening up of the Columbia and Snake rivers to free and unrestricted navigation. From the standpoint of the whole northwest this work will result in great good to the entire country. I trust you will present our thanks to the Legislature, for we appreciate their action very much.

Yours truly,
HENRY HAHN,
Chairman Open River Committee Chamber of Commerce.
Portland, Oregon.

Attest:

SAMUEL CONNELL, Secretary.

On motion of Senator Rands the secretary was instructed to acknowledge receipt of the above communication.

COMMUNICATION FROM THE WASHINGTON GOOD ROADS ASSOCIATION.

SEATTLE, WASH., February 3, 1905.

To the President of the Senate, Hon. Chas. E. Coon, Olympia, Wash.

SIR: At a meeting of the Executive Committee of the Washington

Good Roads Association, whose names appear above, held in Seattle, February 2, 1905, the following resolution was unanimously adopted:

"*Be it Resolved by the Washington Good Roads Association*, That it is in their opinion unwise at the present time to make changes in the general road laws of the State owing to the fact that this organization believes that sufficient time has not elapsed to properly test the same.

"*Be it further Resolved*, That a copy of this resolution be sent to the president of the Senate and to the speaker of the House of Representatives."

Very truly yours,
(Signed) SAMUEL HILL, President.

On motion of Senator Baker the above communication was referred to the Committee on Roads and Bridges.

On motion of Senator Rands, House concurrent resolution No. 6 was adopted, providing for the appointment of a joint committee of three members of the House and two from the Senate, to visit the State reform school and report upon its need for additional lands.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 6, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 59, entitled "An act for the incorporation of associations, societies and clubs, defining their powers, and providing for the government, regulation and control thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 1, title of the printed bill, after the word "powers" strike the word "and." In line 2, title of the printed bill, after the word "thereof" strike the period, substitute a comma therefor, and add the words "and declaring an emergency."

In line 1, section 9 of the printed bill, strike the word "existing" and the comma and substitute the words "exists and" therefor.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, E. B. Palmer, O. A. Tucker, John T. Welsh, Wm. Hickman Moore, Walter Christian.

On motion of Senator Rands the report of the committee was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 136, by Senator Hemrich: An act granting to the city of Seattle, upon certain conditions, certain shore lands on the west side of Lake Washington, in King county, State of Washington.

The bill was read the first time, and on motion of Senator Hemrich the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate bill No. 137, by Senator Pogue: An act providing for the irrigation, improvement and sale of certain lands set apart for the use and maintenance, support and endowment of the agricultural college and school of science, and declaring an emergency.

The bill was read the first time, and on motion of Senator Pogue, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Irrigation and Arid Lands.

Senate bill No. 138, by Senator Smith (S. T.): An act to provide for the formation of banking corporations and to regulate the business of banking and securing State supervision thereof; for the appointment of a bank commissioner, defining his duties, fixing his compensation and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Smith (S. T.), the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Banks and Banking.

Senate bill No. 139, by Senator Pauly: An act to amend section 1 of an act entitled "An act relating to the taxation of inheritances and providing for disposition of same," approved March 6, 1901.

The bill was read the first time, and on motion of Senator Pauly the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 140, by Senator Rands: An act amending section 21 of chapter 143, laws of 1903, relating to "river improvement districts," and the collection of taxes therein.

The bill was read the first time, and on motion of Senator

Rands the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 141, by Senator Russell: An act to provide for the publication and sale of the Washington Supreme Court Reports.

The bill was read the first time, and on motion of Senator Russell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 142, by Senator Tucker: An act in relation to deliveries of goods by common carriers.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Railroads and Transportation.

Senate bill No. 143, by Senator Tucker: An act amending section 2, chapter LXV, of the Session Laws of 1897, and declaring an emergency therefor.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Insurance.

Senate bill No. 144, by Senator Palmer: An act for the relief of the holders of warrants drawn upon the "State Normal School Fund," etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

House bill No. 117: An act fixing the salaries of county commissioners in counties of the first class and amending section 1 of chapter 61 of the laws of 1895, said section being the same as section 4007 of Pierce's Code.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Miscellaneous.

House bill No. 100: An act creating the office of chaplain of the State penitentiary, etc.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Miscellaneous.

House bill No. 164: An act to amend the law relating to the driving, sorting, etc., of logs and other timber products, fixing tolls thereon, etc.

The bill was read the first time, and on motion of Senator Smith (S. T.) the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Manufactures.

House bill No. 54: An act to amend sections 5 and 6 of an act to provide against an adulteration of food and fraud in the sale thereof, etc.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry and Hygiene.

At 3:40 o'clock p. m., on motion of Senator Christian, the Senate adjourned until 10:30 o'clock a. m. Tuesday, February 7, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 7, 1905.
10:30 o'clock a. m.

The Senate was called to order at 10:30 o'clock a. m. by President Coon, pursuant to adjournmbent.

Rev. J. W. Satterthwaite offered prayer.

The secretary called the roll, all members being present except Senators Graves, Henry, O'Donnell, Sharp, and Smith (Dr. J. J.), all excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

The following resolution, by Senator Veness, was adopted:

Resolved, That D. B. Wescott be employed as typewriter and committee clerk, to date from January 30, at $4.00 per diem.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 6, 1905.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 116, entitled "An act permitting the sale of the State's granted timber lands in such a manner as to realize the greatest revenue for the State," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

After the word "State" in the title of the act, insert the following: "and declaring an emergency."

In line 1, section 2, strike out the words, "During the aforesaid five years' period or."

In same section and line strike out the word "thereof."

After the word "expiration" and before the word "the," in same

section and line, insert the following: "of the aforesaid five years' period."

Strike out section 4, and insert the following: "Section 4. An emergency exists and this act shall take effect immediately."

W. G. POTTS, Chairman.

We concur in this report: J. R. O'Donnell, John T. Welsh, S. T. Smith, O. A. Tucker, J. A. Veness, Jno. Earles.

On motion of Senator Veness the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 12, providing for the publication of a legislative manual.

Also House bill No. 19, entitled "An act authorizing the assessment of lands held or owned by any county for local improvements."

Also House bill No. 103: An act relieving cities and towns from liability for death or damages to person.

Also House bill No. 36: An act creating a state board of tax commissioners.

Also House bill No. 71: An act to amend Ballinger's Code and Statutes relating to elections.

Also House bill No. 81: An act to empower county commissioners to appropriate money and make exhibits at the Lewis and Clark Exposition.

Also House bill No. 41: An act to provide for the payment of assessments for local improvements.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 6, 1905.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate bill No. 129, entitled 'An act to amend sections 1, 2, 3 and 6 of an act entitled 'An act to provide for the extermination of coyotes and wolves in the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 5 of section 3 of the printed bill, after the word "Auditor" add the words "or any other officer authorized to administer oaths."

Add a new section to the bill to read as follows: "Section 5. The auditor, treasurer and chairman of board of county commissioners shall at least quarterly check over the scalps on which bounties have been paid, and at such time and in the presence of each other reduce said scalps to ashes.

E. B. PALMER, Chairman.

We concur in this report: E. M. Rands, W. G. Potts, A. Hemrich, C. L. Stewart, H. M. Boone, M. E. Stansell.

On motion of Senator Palmer the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 6, 1905.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 87, entitled "An act authorizing the board of state land commissioners of the State of Washington to extend the time for the removal of timber sold on state granted, or school lands," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Strike out section 1, and, in lieu thereof, insert the following: Section 1. That all persons, firms or corporations who, prior to March 18th, 1901, purchased from the State of Washington timber on state, school or granted lands, and who have not already removed the timber therefrom, shall have a period of ten years from March 18, 1901, in which to remove the timber from such lands.

W. G. POTTS, Chairman.

We concur in this report: J. R. O'Donnell, John T. Welsh, S. T. Smith, O. A. Tucker, J. A. Veness, Jno. Earles.

On motion of Senator Welsh the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 24, entitled "An act providing for the appointment and election of a judge of the superior court of the State of Washington in and for the counties of Stevens and Ferry, jointly," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 3, section 3 of the printed bill, after the word "superior" strike the word "court" in both places where it occurs in said line. In lines 4 and 5 of said section, strike the words "on the second Monday in January, 1907," and substitute the words "upon his election and qualification" therefor. In line 5 of said section, strike the words "for four years," and substitute the words "until the second Monday in January, 1909," therefor.

In lines 3 and 4, section 4 of the printed bill, strike the word "November."

In lines 3 and 4, section 5 of the printed bill, strike the word "November."

In line 2, section 6 of the printed bill, after the figures "1908" insert the words "and every four years thereafter." In line 2, section 6 of the printed bill, strike the word "court." In line 2, section 6 of the printed bill, after the word "judges" at the end of said line strike out the remainder of said section and substitute therefor the words "in the counties of Stevens and Ferry, jointly, one superior judge, and in the counties of Chelan, Douglas and Okanogan, jointly, one superior judge."

Strike out section 7 of the printed bill.

Strike out section 8 of the printed bill.

Make section 9 of the printed bill, section 7. In line 1, section 9 of the printed bill, strike the words "is declared to exist," and substitute the word "exists" therefor. In lines 1 and 2 of said section, strike the words "and be in force." In line 2 of said section strike the words "upon its passage and approval," and place a period after the word "immediately."

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Christian, T. A. Hunter, R. M. Kinnear, S. S. Russell, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

On motion of Senator Stansell the rules were suspended, Senate bill No. 24 was read the third time, considered engrossed, and placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Baker, Graves, Henrich, Henry, Hunter, Ruth, Sharp, Smith (Dr. J. J.), Sumner, Van de Vanter—10.

The emergency clause passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—34.

Those absent or not voting were: Senators Baker, Graves, Hemrich, Henry, Hunter, Ruth, Sharp, Smith (Dr. J. J.)—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 26, entitled "An act to amend sections 1 and 2 of an act entitled 'An act creating and providing for the enforcement of liens for labor and material,' approved February 21, 1893," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 1, title of the printed bill, at the beginning of said line, strike the words "to amend" and substitute therefor the words "relating to liens for labor performed, materials, provisions and supplies furnished, and amending."

In line 5, section 2 of the printed bill, strike the word "parcel." In line 5 of said section, strike the word "division," and substitute the word "parcel" therefor. In line 9 of said section, strike the word "through" and substitute the word "in" therefor. In line 9 of said section, strike the comma after the word "his," and insert a comma after the word "behalf."

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Christian, T. A. Hunter, R. M. Kinnear, S. S. Russell, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill

No. 30, entitled "An act in relation to estrays, prescribing penalties for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Dairy and Livestock.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Christian, T. A. Hunter, R. M. Kinnear, S. S. Russell, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 7. 1905

MR. PRESIDENT:

We your Committee on Judiciary, to whom was referred House bill No. 20, entitled "An act to amend sections one (1), two (2) and seven (7) of an act entitled 'An act to provide for the committing of juvenile offenders to the state reform school at Chehalis,' approved March 7, 1891," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, Walter Christian, T. A. Hunter, R. M. Kinnear, E. B. Palmer.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 2, entitled "An act to provide for the apprehension, detention, trial, treatment and control of delinquent children of or under the age of sixteen years," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In lines 2 and 3, title of the engrossed bill, strike the words "and repealing acts inconsistent with this act."

Strike out section 14 of the engrossed bill, same being section 13 of the printed bill.

E. M. RANDS, Chairman.

We concur in this report: John T. Welsh, Charles T. Hutson, Walter Christian, T. A. Hunter, S. S. Russell, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 2, 1905.

MR. PRESIDENT:

We, the majority of your Committee on State Charitable Institutions, to whom was referred Senate bill No. 66, entitled "An act to create and establish an institution for defective youth," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 5, line 1, of the printed bill, strike out the word "male"; also in line 2 strike out the words "and females between the ages of five and twenty-one years."

In section 6, line 2 of the printed bill, strike out the words "of brick" or stone"; also in line 5 strike out the word "one," and insert in lieu thereof the word "two."

Strike out section "8" of the printed bill.

Change section "9" to section "8."

Change section "10" of the printed bill to section "9."

In line 3, section 9, of the printed bill, strike out the word "is," and insert in lieu thereof the word "if."

Change section "11" of the printed bill to section "10."

Change section "12" of the printed bill to section "11."

In line 4, section 11, of the printed bill, strike out the words "of the," and insert in lieu thereof the word "or."

Change section "13" of the printed bill to section "12."

In line 5, section 12, strike out the word "of" and insert in lieu thereof the word "to."

Change section "14" of the printed bill to section "13."

W. E. BRONSON.
WALTER CHRISTIAN.
E. HAMMER,
T. A. HUNTER.

SENATE CHAMBER,
OLYMPIA, WASH., February 2, 1905.

MR. PRESIDENT:

We, your minority Committee on State Charitable Institutions, to whom was referred Senate bill No. 66, entitled "An act to create and establish an Institution for defective youth," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Strike out section 3 of the printed bill and insert in lieu thereof: "The location of said institution shall be near Medical Lake, in Spokane county, Washington, and shall be on land now owned by the State of Washington, and within two miles of the Eastern Washington hospital

for the insane, subject to such rules and regulations as may be prescribed by the state board of control."

In section 5, line 1, of the printed bill, strike out the word "male"; also in line 2 strike out the words "and females between the ages of five and twenty-one years."

In section 6, line 2, of the printed bill, strike out the words "of brick or stone"; also in line 5, strike out the word "one" and insert in lieu thereof the word "two."

Strike out section "8" of the printed bill.

Change section "9" to section "8."

Change section "10" of the printed bill to section "9."

In line 3, section 9, of the printed bill, strike out the word "is," and insert in lieu thereof the word "if."

Change section "11" of the printed bill to section "10."

Change section "12" of the printed bill to section "11."

In line 4, section 11, of the printed bill, strike out the words "of the," and insert in lieu thereof the word "or."

Change section "13" of the printed bill to section "12."

In line 5, section 12, strike out the word "of," and insert in lieu thereof the word "to."

Change section "14" of the printed bill to section "13."

C. G. BROWN, Chairman.

Senator Bronson moved the adoption of the majority report.

Senator Bratt moved as an amendment that the minority report be substituted for the majority report.

On motion of Senator Baker Senate bill No. 66, with the reports of the Committee on State Charitable Institutions thereon, was committed to the Committee on Appropriations.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 59, entitled "An act for the incorporation of associations, societies and clubs," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 6, 1905.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, to whom was referred the question of salaries for Senate employes, have had the same under consideration, and respectfully recommend that salaries be fixed at the following per diem, beginning with Monday, February 6, 1905:

Secretary	$7.50
Assistant secretary	6.00
Sergeant-at-arms	6.00
Assistant sergeant-at-arms	5.00
Minute clerk	5.00
Docket clerk	5.00
Journal clerk	5.00
Assistant journal clerk	5.00
Enrolling clerk	5.00
Engrossing clerk	5.00
Assistant enrolling and engrossing clerks	4.50
Bill clerk	5.00
Stenographer	5.00
Secretary to lieutenant governor	5.00
Clerk of Judiciary Committee	7.50
Clerk of Appropriations Committee	5.00
City messenger and pages	2.00
All other clerks and employes, each	4.00

A. L. WATSON, Chairman.

We concur: H. M. Boone, C. G. Brown, A. T. Van de Vanter, Lincoln Davis.

On motion of Senator Watson the report of the committee was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 145, by Senator Russell: An act relating to and regulating the nomination of candidates for election.

The bill was read the first time, and on motion of Senator Russell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 146, by Senator Potts: An act pertaining to and compelling transfer of shares of stock in private corporations.

The bill was read the first time, and on motion of Senator Potts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 147, by Senator Palmer: An act to amend section 5 of an act entitled "An act creating and providing for the enforcement of liens for labor and material," approved February 21, 1893.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

House bill No. 71: An act to amend sections 1362 and 1394 of Ballinger's Codes and Statutes of Washington, relating to elections.

The bill was read the first time, and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, and referred to the Committee on Election and Privileges.

House bill No. 36: An act creating a state board of tax commissioners, defining its powers and duties.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Revenue and Taxation.

House bill No. 41: An act to provide for the payment of assessments for local improvements against lots or tracts against which general tax certificates of delinquency are sought to be foreclosed.

The bill was read the first time, and on motion of Senator Christian the rules were suspended, the bill was read the second time by title, and referred to the Committee on Cities of the First Class.

House bill No. 103: An act relieving cities and towns from alleys or other public places which have not been improved or liability for death or damages to person or property upon streets, opened to public travel.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 19: An act authorizing the assessment of lands held or owned by any county in the State within the limits of

incorporated cities or towns in such county for local improvements, and providing for the payment of such assessments.

The bill was read the first time, and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, and referred to the Commiteee on Municipal Corporations.

GENERAL FILE.

Senate bill No. 57, by Senator Pogue, was placed on its third reading, and on motion of Senator Pogue, was ordered laid on the table.

On motion of Senator Moore the Senate resolved itself into a committee of the whole to consider Senate bills Nos. 107 and 48, and House bills Nos. 26, 47 and 93.

Senate bills Nos. 107 and 48, and House bills Nos. 26, 47 and 93 were considered in the committee of the whole, Senator Stewart in the chair, and reported back to the Senate with the following recommendations:

Senate bill No. 48, that it do pass with the following amendments:

In line 6 of section 1, of the engrossed bill, strike out the figures "1905" and insert in lieu thereof the figures "1904."

In line 2 of the title, after the word "bank," insert the words "of Olympia."

Senate bill No. 107, that it do pass with the following amendments:

In line 2 of section 3 of the engrossed bill, strike out the words and figures "seven thousand dollars ($7000)," and insert in lieu thereof the words and figures "three thousand five hundred dollars ($3,500)."

House bill No. 93, that it do pass with the following amendments:

In line 2 of section 1 of the engrossed bill, insert in the blank space, after the word "appropriated," the words: "three hundred and forty dollars and fifty cents."

In line seven of the engrossed bill, strike out the figures "$340.50."

That House bills Nos. 26 and 47 do pass.

On motion of Senator Hammer the report of the committee of the whole was adopted.

On motion of Senator Hammer the rules were suspended, the reading had in the committee of the whole considered the third reading, Senate bill No. 107 was considered engrossed and placed on its final passage.

Senate bill No. 107 passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Hammer, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Davis, Earles, Graves, Hemrich, Henry, Rasher, Reed, Sharp, Smith (Dr. J. J.) —9.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 48, by Senator Ruth: An act making an appropriation for the relief of the Capital National Bank, etc.

On motion of Senator Ruth the rules were suspended, the reading of Senate bill No. 48 had in the committee of the whole was considered its third reading, the bill considered engrossed and placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Hammer, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Davis, Earles, Graves, Hemrich, Henry, Hunter, Sharp, Smith (Dr. J. J.), Sumner—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 26: An act for the relief of Garfield county.

On motion of Senator Russell, the rules were suspended, the reading of the bill had in the committee of the whole considered the third reading, and House bill No. 26 placed on its final passage.

Those voting yea were: Senators Boone, Bratt, Bronson,

Brown, Christian, Clapp, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Van de Vanter, Veness, Watson, Welsh, Wilson—28.

Senator Hammer voted nay.

Those absent or not voting were: Senators Baker, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Kinnear, Sharp, Smith (Dr. J. J.), Sumner, Tucker—14.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 47: An act for the relief of Joseph Canutt.

On motion of Senator Boone the rules were suspended, the reading had in the committee of the whole considered the third reading, and House bill No. 47 placed on its final passage.

The bill passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Davis, Hammer, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (S. T.), Stewart, Van de Vanter, Veness, Watson, Welsh, Wilson—28.

Those absent or not voting were: Senators Baker, Condon, Earles, Graves, Hemrich, Henry, Hunter, Hutson, Kinnear, Sharp, Smith (Dr. J. J.), Stansell, Sumner, Tucker—14.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 93: An act appropriating funds for the relief of Dora W. Cryderman, etc.

On motion of Senator Palmer House bill No. 93 was placed on its final passage, the third reading had in the committee of the whole being considered the third reading.

The bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Davis, Earles, Hammer, Hemrich, Hutson, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson —33.

Those absent or not voting were: Senators Condon, Graves,

Henry, Hunter, Kinnear, O'Donnell, Sharp, Smith (Dr. J. J.), Stansell—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 59, by Senator Clapp: An act for the incorporation of associations, societies and clubs, etc., was given its third reading and on motion of Senator Clapp placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hemrich, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Tucker, Van de Vanter, Veness, Watson, Wilson—34.

Those absent or not voting were: Senators Graves, Hammer, Henry, Hunter, Sharp, Smith (Dr. J. J.), Sumner, Welsh—8.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hemrich, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stewart, Tucker, Van de Vanter, Veness, Watson, Wilson—33.

Those absent or not voting were: Senators Graves, Hammer, Henry, Hunter, Sharp, Smith (Dr. J. J.), Stansell, Sumner, Welsh—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 48: Relating to costs in civil actions, etc., was placed on its third reading and on motion of Senator Tucker placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stewart, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—34.

Those absent or not voting were: Senators Graves, Henry, Hunter, Kinnear, Sharp, Smith (Dr. J. J.), Stansell, Sumner—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

The president appointed Senators Veness and Rasher as Senate members of the joint committee, in accordance with House concurrent resolution No. 6, to visit the state reform school.

At 11:55 a. m., on motion of Senator Rands, the Senate adjourned until Wednesday, February 8, 1905, at 10:30 o'clock.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTY-FIRST DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 8, 1905.
10 o'clock a. m.

The Senate was called to order at 10:30 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. F. K. Howard offered prayer.

The secretary called the roll, all members being present except Senators Clapp, Henry, Sharp and Graves, all excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 24, entitled "An act for the appointment and the election of a judge of the superior court of the State of Washington in and for the

counties of Stevens and Ferry, jointly," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 26, entitled "An act to amend the law relating to liens for labor and material," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 129, entitled "An act to amend sections 1, 2, 3 and 6 of an act entitled 'An act to provide for the extermination of coyotes, wolves,'" etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 116, entitled "An act permitting the sale of State's granted timber lands," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 107, entitled "An act to establish and maintain a state fish

hatchery on the Humptulips river," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 48, entitled "An act making an appropriation for the relief of the Capital National Bank of Olympia," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 87, entitled "An act authorizing the board of state land commissioners to extend the time of the removal of timber sold on state, granted and school lands, and declaring an emergency," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 106, entitled "An act providing for the amendment of section 16 of article 1 of the Constitution of the State of Washington, relating to the exercise of the power of eminent domain." have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In line 8 of section 1 of the printed bill, after the word "mining," strike out the words "milling, and manufacturing."

S. M. LE CRONE, Chairman.

We concur in this report: Walter J. Reed, Walter Christian, Charles T. Hutson, Wm. Hickman Moore.

On motion of Senator Welsh the report of the committee was adopted.

On motion of Senator Welsh the rules were suspended, Senate bill No. 106 considered engrossed, given its third reading and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Condon, Davis, Earles, Hamtner, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson —33.

Senator Smith (Dr. J. J.) voted nay.

Those absent or not voting were: Senators Christian, Clapp, Graves, Hemrich, Henry, Palmer, Sharp, Stewart—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 71, entitled "An act relating to private corporations," with the following amendments:

To amend the title by inserting the word "Washington" immediately after the word "Pierce's," being the first line of printed bill, and the second line of the original bill.

Also amend section 1 by inserting the word "Washington" immediately after the word "Pierce's," in line 2 of the original bill, the same being line 2 of the printed bill, to read as follows: "Pierce's Washington Code," in lieu of "Pirece's Code."

Also House bill No. 106, an act relating to the punishment of the crime of seduction.

Also Senate bill No. 83, relating to bonds of guardians, with the following amendment:

In line 8 of section 1 of the original bill, being line 5 of section 1 of the printed bill, strike out the word "probable" and substitute therefor the word "estimated."

Also House bill No. 150, an act relating to the maintenance, repair and removal of sidewalks in cities of first, second, third and fourth class, etc.

Also House bill No. 83, an act preventing the sale of lands set apart

for the use, support, establishment and maintenance af the state agricultural college and school of science.

Also House bill No. 57, an act making a deficiency appropriation for the state oyster board.

Also House bill No. 33, an act providing a method for the assessment and collection of an excise tax.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Moore the Senate concurred in the amendments proposed by the House to Senate bill No. 83, by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hemrich, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson---37.

Those absent or not voting were: Senators Clapp, Graves, Henry, Kinnear, Sharp—5.

On motion of Senator Moore the Senate concurred in the amendments proposed by the House to Senate bill No. 71, by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hemrich, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators Clapp, Graves, Henry, Kinnear, Sharp—5.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred Senate bill No. 128, entitled "An act to amend an act and to prevent spread of contagious disease," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 68, entitled "An act empowering cities of the third class to levy and collect an annual street poll tax, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. R. O'DONNELL, Chairman.

We concur in this report: A. L. Watson, Walter J. Reed, E. Hammer, Geo. A. Kennedy, C. L. Stewart, T. A. Hunter, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 132, entitled "An act relating to the presentation of claims for damages against cities and towns in this State," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. R. O'DONNELL, Chairman.

We concur in this report: A. L. Watson, Walter J. Reed, E. Hammer, Geo. A. Kennedy, C. L. Stewart, T. A. Hunter, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 88, entitled "An act amending section 3034 of Pirece's Code, being section 6754 of Ballinger's Annotated Codes and Statutes of Washington, relating to appeals to superior courts," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, E. B. Palmer, R. M. Kinnear, Wm. Hickman Moore, T. A. Hunter.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 101, entitled "An act defining petit larceny and fixing the penalty thereof, and amending section 831 of the Code of Washington Territory,"

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Strike from the title of said act the words "A bill for." In line 1, title of the printed bill, strike the words "Defining petit larceny and fixing the penalty thereof, and." In lines 1 and 2 of said title, strike the words and figures "831 of the Code of Washington Territory," and substitute therefor the words and figures "7109 of Ballinger's Annotated Codes and Statutes of Washington, relating to petit larceny and proing a penalty therefor."

In line 1, section 1 of the printed bill, strike the words and figures "831 of the Code of Washington Territory," and substitute the words and figures "7109 of Ballinger's Annotated Codes and Statutes of Washnigton" therefor. In line 3 of said section strike the quotation marks before the ward "Section." In line 3 of said section strike the figures "831" and substitute the figures "7109" therefor. In line 7 of said section strike the quotation marks after the word "court."

Strike out section 3 of the printed bill.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, John T. Welsh, R. M. Kinnear, Wm. Hickman Moore, T. A. Hunter, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

On motion of Senator Moore the word "amendment" in line 3 of section 2 of the printed bill, was striken out and the word "act" inserted in lieu thereof.

SENATE CHAMBER.
OLYMPIA, WASH., February 8, 1905.

MR PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 140, entitled "An act amending section twenty-one (21) of chapter one hundred and forty-three, Laws of 1903, relating to 'river improvement districts,' and the collection of taxes therein," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, John T. Welsh, R. M. Kinnear, Wm. Hickman Moore, T. A. Hunter, E. B. Palmer.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR PRESIDENT:

We, your Committee on Appropriation, to whom was referred Senate bill No. 121, entitled "An act appropriating the sum of six thousand dollars for the use and benfit of the Florence Crittenton rescue work of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In the title of the act in the printed bill, between the words "Crittenton" and "rescue," insert the words "and The White Shield Home."

In line 3 of printed bill, between the words "Crittenton" and "rescue," insert the words "and the White Shield Home"; also strike the word "three," and in lieu thereof insert the word "two."

In line 4 of the printed bill, after the word "and," strike the word "three," and in lieu thereof insert the word "two."

In line 6 of the printed bill, after the word "Washington," insert the words "and two thousand dollars thereof to be paid to the treasurer of the White Shield Home at Tacoma, Washington."

GEO. H. BAKER, Chairman.

We concur in this report: E. M. Rands, E. Hammer, G. B. Wilson, J. A. Veness, C. L. Stewart, H. Rasher.

On motion of Senator Rasher the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR PRESIDENT:

We, your Committee on Appropriation, to whom was referred Senate bill No. 52, entitled "An act making appropriation for the improvement of the agricultural college," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed, so that it be merged into the general appropriation bill.

GEO. H. BAKER, Chairman.

We concur in this report: E. M. Rands, E. Hammer, G. B. Wilson, J. A. Veness, C. L. Stewart, H. Rasher.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR PRESIDENT:

We, your Committee on Appropriation, to whom was referred Senate bill No. 134, entitled "An act making appropriation for the construction

of a library building, and a chemistry building at the Unversity of Washngton," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed, that it may be merged with the general appropriation bill.

GEO. H. BAKER, Chairman.

We concur in this report: E. M. Rands, E. Hammer, G. B. Wilson, J. A. Veness, C. L. Stewart, H. Rasher.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 6, 1905.

MR PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 95, entitled "An act amending section 2945 of Ballinger's Codes and Statutes of Washington, and relating to the maintenance and trial of actions by persons injured in their persons, property, or means of support, by intoxicated persons or in consequence of the intoxication of persons," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, E. B. Palmer, O. A. Tucker, Wm. Hickman Moore, R. M. Kinnear.

On motion of Senator Davis the report of the committee was adopted.

On motion of Senator Davis the rules were suspended, Senate bill No. 95 read third time, and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Brown, Condon, Davis, Earles, Hemrich, Hunter, Hutson, Kinnear, Le Crone, Moore, Pauly, Potts, Rands, Rasher, Reed, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh —24.

Those voting nay were: Senators Boone, Bratt, Bronson, Christian, Hammer, Kennedy, O'Donnell, Palmer, Pogue, Russell, Ruth, Watson, Wilson—13.

Those absent or not voting were: Senators Clapp, Graves, Henry, Sharp, Veness—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF BILLS.

Senate bill No. 148, by Senator Sumner: An act to provide for the organization of bonding and surety companies and to regulate their management.

The bill was read the first time, and on motion of Senator Sumner the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 149, by Senator Bronson: An act to amend sections 6, 7, 12 and 18 of an act to promote the fruit growing and horticultural interests of the State of Washington, etc.

The bill was read the first time, and on motion of Senator Bronson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Horticulture and Forestry.

Senate bill No. 150, by Senator Earles: An act for the preservation of the salmon fishing industry of the State of Washington, providing for closed seasons, etc.

The bill was read the first time, and on motion of Senator Earles the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate bill No. 151, by Senator Pogue: An act appropriating money for an artesian well and providing for a commission to expend same.

The bill was read the first time, and on motion of Senator Pogue the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 152, by Senator Stansell: An act creating the office of state inspector of mines (excepting coal mines); fixing his duties and powers, etc.

The bill was read the first time, and on motion of Senator Stansell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Mines and Mining.

Senate bill No. 153, by Senator Stansell: An act limiting the authority of prosecuting attorneys to compromise or dismiss any

civil action or proceeding to which the State or county is a party.

The bill was read the first time, and on motion of Senator Stansell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 154, by Senator Wilson: An act to prohibit the advertising of treatment or cure of diseases and disorders ot the sexual organs, declaring the same a misdemeanor and prescribing a penalty therefor.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry and Hygiene.

Senate bill No. 155, by Senator Tucker: An act relating to the taxation of inheritances and providing for the disposition of same, etc.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 156, by Senator Stewart: An act making an appropriation for the maintenance of the Western Washington experimental station, located at Puyallup, Pierce county, Washington.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

House bill No. 33: An act providing a method for the assessment and collection of an excise tax from bonding companies doing business in the State of Washington.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Revenue and Taxation.

House bill No. 57: An act making a deficiency appropriation for the state oyster board of the State of Washington.

The bill was read the first time, and on motion of Senator

Hammer the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

House bill No. 83: An act preventing the sale of lands set apart for the use, support, establishment, maintenance and endowment of the Agricultural College Experiment Station and School of Science of the State of Washington, without the consent of the board of regents of said college.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 150: An act relating to maintenance, repair and renewal of sidewalks, etc., and providing for the payment thereof by owners of the abutting property and declaring an emergency.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 106: An act relating to the punishment of the crime of seduction, and amending section 7066 of Ballinger's Codes and Statutes of Washington.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 81: An act empowering boards of county commissioners to make exhibits of the products of their respective counties at the Lewis and Clark Centennial, etc., and to appropriate money from the county current expense fund to meet the expenses of such exhibits, and declaring an emergency.

The bill was read first time, and on motion of Senator Rands the rules were suspended and the bill read the second time by title.

On motion of Senator Rands House bill No. 81 was given its third reading, the rules being suspended, and the bill placed on its final passage.

House bill No. 81 passed by the following vote:

Those voting yea were: Senators Baker, Brown, Condon, Davis, Earles, Hammer, Henrich, Hunter, Hutson, Kennedy, Kinnear,

Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed. Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—33.

Those voting nay were: Senators Boone, Bratt, Bronson, Christian, Palmer—5.

Those absent or not voting were: Senators Clapp, Graves, Henry, Sharp—4.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hemrich, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—36.

Senator Palmer voted nay.

Those absent or not voting were: Senators Clapp, Graves, Henry, Kinnear, Sharp—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

GENERAL FILE.

House bill No. 2: An act to provide for the apprehension, detention, trial, treatment and control of delinquent children of or under the age of sixteen years, was read the third time.

On motion of Senator Moore the bill was amended by striking out the words "of the court" in lines 1 and 2 of section 13 of the engrossed bill.

On motion of Senator Moore the bill was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—35.

Senator Ruth voted nay.

Those absent or not voting were: Senators Clapp, Graves, Henry, Sharp, Summer, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 20: An act to amend sections 1, 2 and 7 of an act entitled "An act to provide for the committing of juvenile offenders to the state reform school at Chehalis," etc., was read third time and on motion of Senator Davis placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronsen, Brown, Christian, Condon, Davis, Earles, Hammer, Hunter, Hutson, Kennedy, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—31.

Senator O'Donnell voted nay.

Those absent or not voting were: Senators Clapp, Graves, Hemrich, Henry, Kinnear, Moore, Ruth, Sharp, Summer, Van de Vanter—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 88: An act relating to appeals to superior courts, was read third time and on motion of Senator Christian placed on final passage.

House bill No. 88 failed to pass by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Davis, Earles, Hammer, Hutson, Kennedy, Pogue, Potts, Rands, Reed, Ruth, Stansell, Tucker, Veness—18.

Those voting nay were: Senators Baker, Condon, Kinnear, Le Crone, O'Donnell, Pauly, Russell, Smith (S. T.), Stewart, Watson—10.

Those absent or not voting were: Senators Clapp, Graves, Hemrich, Henry, Hunter, Moore, Palmer, Rasher, Sharp, Smith (Dr. J. J.), Summer, Van de Vanter, Welsh, Wilson—14.

Engrossed copy, Senate bill No. 87: An act authorizing the board of state land commissioners of the State of Washington to extend the time for the removal of timber sold on state granted, or school lands, was read third time and on motion of Senator Potts placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Van de Vanter, Veness, Watson, Welsh, Wilson—30.

Those voting nay were: Senators Boone, Palmer—2.

Those absent or not voting were: Senators Clapp, Graves, Hammer, Hemrich, Henry, Moore, Sharp, Smith (Dr. J. J.), Sumner, Tucker—10.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hunter, Hutson, Kennedy, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Van de Vanter, Veness, Watson, Welsh, Wilson—31.

Those voting nay were: Senators Boone, Palmer—2.

Those absent or not voting were: Senators Clapp, Graves, Hammer, Hemrich, Henry, Kinnear, Moore, Sharp, Sumner—9.

On motion of Senator Tucker the words "and declaring an emergency" were added to the title of the act.

Engrossed copy, Senate bill No. 116: An act permitting the sale of the State's granted timber lands in such a manner as to realize the greatest revenue for the State, and declaring an emergency, was read third time.

On motion of Senator Rands the word "by" in line 5 of section 1, of the printed bill, was stricken out and the word "at" substituted in lieu thereof.

Senator Rands moved that the words "as a part of" in lines 8 and 9, section 1 of the printed bill, be stricken out.

The motion was lost.

On motion of Senator Moore section 3 of the printed bill was stricken out and section 4 of the printed bill changed to section 3.

On motion of Senator Veness Senate bill No. 116 was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Christian, Condon, Davis, Earles, Hammer, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts,

Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—30.

Those voting nay were: Senators Boone, Bratt, Brown, Rands, Russell, Sumner—6.

Those absent or not voting were: Senators Clapp, Graves, Henry, Moore, Sharp, Van de Vanter—6.

The emergency clause passed by the following vote:

Those voting yea were: Senators Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hemrich, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—28.

Those voting nay were: Senators Boone, Bratt, Palmer, Rands—4.

Those absent or not voting were: Senators Baker, Clapp, Graves, Henry, Kinnear, Russell, Sharp, Smith (Dr. J. J.), Sumner, Van de Vanter—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Stansell it was ordered that the rules be suspended and all bills passed by the Senate yesterday and today be immediately transmitted to the House.

The following resolution by Senator Kinnear was adopted:

Resolved, That a committee of three be appointed by the president of the Senate to investigate the Senate employes, with a view to reducing their number.

At 12:20 p. m., on motion of Senator Tucker, the Senate adjourned until 10:30 o'clock a. m. Thursday, February 9, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTY-SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 9, 1905.
10:30 o'clock a. m.

The Senate was called to order at 10:30 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. F. K. Howard offered prayer.

The secretary called the roll, all members being present except Senators Graves, Hemrich, Henry, Sharp, Van de Vanter, and Clapp, all excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 128, entitled "An act to amend an act to prevent spread of contagious diseases," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 121, entitled "An act appropriating the sum of six thousand dollars for the use and benefit of the Florence Crittenton rescue work," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 101, entitled "An act to define petit larceny and fixing the penalty thereof," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 71, entitled "An act to amend section 4251 of Ballinger's Annotated Codes and Statutes of Washington (Pierce's Washington Code, section 7054), relating to the organization and management of private corporations, and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, Huber Rasher, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 83, entitled "An act amending section 6403, Ballinger's Annotated Codes and Statutes of Washington, relating to bonds of guardians and prescribing the requirements thereof," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, H. Rasher, O. A. Tucker.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 112, entitled "An act to establish a state fish hatchery on the

Chehalis river, in Lewis county, in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Amend by adding to the title, after the word "Washington," the following: "and making an appropriation therefor."

JOHN T. WELSH, Chairman.

We concur in this report: W. G. Potts, R. W. Condon, E. Hammer, Geo. H. Baker, Lincoln Davis, Jno. Earles, T. W. Sumner.

On motion of Senator Welsh the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No. 100, entitled "An act creating the office of chaplain of the state penitentiary, prescribing his duties," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be reported back to the Senate and placed on general file.

R. M. KINNEAR, Chairman.

We concur in this report: R. W. Condon, E. Hammer, T. A. Hunter, A. L. Watson.

On motion of Senator Hammer the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred Senate bill No 70, entitled "An act to amend an act relating to the classifying of counties according to population and remunerating county officers," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed, the same being similar to House bill No. 117.

R. M. KINNEAR, Chairman.

We concur in this report: R. W. Condon, E. Hammer, T. A. Hunter, A. L. Watson.

On motion of Senator Hammer the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred Senate bill No. 69, entitled "An act fixing the salaries of county commissioners

in counties of the first class," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed, the same being similar to House bill No. 117.

R. M. KINNEAR, Chairman.

We concur in this report: R. W. Condon, E. Hammer, T. A. Hunter, A. L. Watson.

On motion of Senator Hammer the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Dairy and Live Stock, to whom was referred House bill No. 30, entitled "An act in relation to estrays, providing penalties for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. M. BOONE, Chairman.

We concur in this report: Geo. A. Kennedy, Walter J. Reed, Fred M. Pauly.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Dairy and Live Stock, to whom was referred Senate bill No. 108, entitled "An act to provide against the adulteration of meals and grains used for feeding live stock," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. M. BOONE, Chairman.

We concur in this report: Geo. A. Kennedy, J. I. Pogue, Walter J. Reed, Fred M. Pauly.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Dairy and Live Stock, to whom was referred Senate bill No. 13, entitled "An act in relation to estrays," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. M. BOONE, Chairman.

We concur in this report: Geo. A. Kennedy, J. I. Pogue, Walter J. Reed, Fred M. Pauly.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR PRESIDENT:

We, your Committee on Dairy and Live Stock, to whom was referred Senate bill No. 118, entitled "An act relating to stock running at large in certain districts," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In line 1 of section 2 of the printed bill strike out the word "Population," and insert in lieu thereof the words "Number of legal voters."

In line 1 of section 2 of the printed bill strike out the word "Township," and insert in lieu thereof the word "Precinct."

Strike out section 4 of the printed bill.

H. M. BOONE, Chairman.

We concur in this report: Geo. A. Kennedy, Walter J. Reed, Fred M. Pauly.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage, to whom was referred Senate bill No. 114, entitled "An act to amend sections 3, 9 and 24 of an act entitled 'An act to provide for the establishment and creation of drainage districts and the construction and maintenance of a system of drainage, and to provide for the means of payment thereof, and declaring an emergency,' approved March 20, 1895, the same being sections 3717, 3723 and 3738 of volume 1 of Ballinger's Annotated Codes and Statutes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1 by inserting in line 44 of the printed bill, between the words "districts" and "In," the following: "*Provided further*, That all necessary expense incident to making such extension, together with a proportionate share of the first cost of any drainage system existing in the original district at the time of making such extension, shall be levied against and apportioned to the lands included in such extension, as in this act provided."

Amend section 3, line 12 of the printed bill, by inserting between the words "of" and "the" the following: "The value of such lands as fixed by."

Amend by inserting between section 3 and section 4 of the printed bill the following, to be known as section 4:

"Section 4. Section 5 of said act, being section 3719 of Ballinger's

Annotated Codes and Statutes of Washington, be and the same is hereby amended to read as follows: 'Such election shall be held on the day designated in such notice, and shall be conducted in accordance with the general election laws of the State of Washington, and no person shall be entitled to vote at such election unless he shall be a qualified elector of the county in which such district is located, and shall have resided within the limits of such district, as established by the board of county commissioners, for at least thirty days next preceding such election. The board of county commissioners shall meet on the Monday next succeeding such election and proceed to canvass the votes cast thereat, and if, upon such canvass, it appears that a majority of the votes cast are for drainage district, "yes," the board shall have an order entered upon their minutes and declare such territory duly organized as a drainage district under the name and style of drainage district No. (here insert number) of (here insert name of county), of the State of Washington, and shall declare the three persons receiving respectively the highest number of votes to be duly elected as a board of commissioners of such drainage district. Said board shall cause a copy of said order, duly certified, to be filed in the office of the secretary of state, and from and after the date of such filing such organization shall be deemed complete, and such board of commissioners so chosen at such election shall be entitled to enter immediately upon the duties of their office, and upon qualifying as county officers are required to qualify, and giving a bond to the State of Washington for the benefit of said drainage district, for the faithful performance of their duties as such board of drainage commissioners in the penal sum of five hundred dollars, with two or more sureties, to be approved by the board of county commissioners, and shall hold such office until the next general election for the election of officers in such drainage district, and until their successors are elected and qualified. Each board of commissioners thereafter, which may be constituted either by appointment or election, shall enter into a like bond and of like effect before entering upon their duties, which bond shall be approved by the judge of the superior court of the county in which said district is located, and shall be filed in said court.' "

Amend by making what is now section 4 of the printed and original bills, section 5.

E. HAMMER, Chairman.

I concur in this report: S. M. Le Crone

On motion of Senator Hammer the report of the committee was adopted.

On motion of Senator Hammer Senate bill No. 114 was ordered reprinted, as amended.

On motion of Senator Moore it was ordered that in all cases

where committee amendments shall exceed two lines in length, 50 typewritten copies of same shall be furnished.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1905.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No 117, entitled "An act fixing the salaries of county commissioners in counties of the first class," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

In line 14, section 1 of the printed bill, after the words "county attorney," strike out the figures "$2,200," and insert the figures "$3000" in lieu thereof.

R. M. KINNEAR, Chairman.

We concur in this report: R. W. Condon, E. Hammer, T. A. Hunter, A. L. Watson.

On motion of Senator Hunter the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 38, entitled "An act providing for the laying out and construction of a state wagon road, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. L. STEWART, Chairman.

We concur in this report: Geo. A. Kennedy, Fred M. Pauly, E. Hammer, Walter Christian, S. T. Smith, M. E. Stansell, J. A. Veness, E. C. Bratt.

On motion of Senator Stewart the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 136, entitled "An act granting to the city of Seattle, upon certain conditions, certain shore lands on the west side of Lake Washington, in King county, State of Washington," have had the same

under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed upon general file.

C. L. STEWART, Chairman.

We concur in this report: Geo. A. Kennedy, Fred M. Pauly, E. Hammer, Walter Christian, S. T. Smith, M. E. Stansell, J. A. Veness, E. C. Bratt.

On motion of Senator Stewart Senate bill No. 136 was referred to the Committee on Judiciary.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 37, entitled "An act to provide for the construction of a part of the state wagon road known as the 'North Yakima and Natches State Road,' making an appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. L. STEWART, Chairman.

We concur in this report: Geo. A. Kennedy, Fred M. Pauly, E. Hammer, Walter Christian, S. T. Smith, M. E. Stansell, J. A. Veness, E. C. Bratt.

On motion of Senator Stewart the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 8, entitled "An act providing for a certain state wagon road," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. L. STEWART, Chairman.

We concur in this report: Geo. A. Kennedy, Fred M. Pauly, E. Hammer, Walter Christian, S. T. Smith, M. E. Stansell, J. A. Veness, E. C. Bratt.

On motion of Senator Stewart the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 51, entitled "An act providing for a certain state wagon

road," etc., "and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. L. STEWART, Chairman.

We concur in this report: Geo. A. Kennedy, Fred M. Pauly, E. Hammer, Walter Christian, S. T. Smith, M. E. Stansell, J. A. Veness, E. C. Bratt.

On motion of Senator Stewart the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No.2, yeas 76, nays 0.

The House has concurred in Senate amendments correcting clerical errors in House bill No. 93.

STOREY BUCK, Clerk of the House.

The president signed Senate bill No. 71 and Senate bill No. 83.

INTRODUCTION OF BILLS.

Senate bill No. 157, by Senator Moore: An act relating to liens of laborers, mechanics and material men, amending "An act," etc.

The bill was read the first time, and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 158, by State Library Committee: An act to provide additional room for the state library, making an appropriation therefor, and declaring an emergency.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read second time by title, ordered printed and placed on general file.

Senate bill No. 159, by Senator Bratt: An act to amend sections 1, 7, 9, 12 and 14 of an act entitled "An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes, and the manner of expenditure thereof," etc.

The bill was read the first time, and on motion of Senator

Bratt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate bill No. 160, by Senator Bronson: An act validating the sale and conveyance heretofore made of state timber and timber lands, bearing more than one million feet of timber to the quarter section.

The bill was read the first time, and on motion of Senator Bronson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State, School, Granted and Tide Lands.

Senate bill No. 161, by Senator Earles: An act providing for the furnishing of cars to shippers and prescribing the time of loading and unloading of same, and providing a penalty.

The bill was read the first time, and on motion of Senator Earles the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Manufactures.

Senator Moore gave notice of a motion to reconsider the vote by which Senate bill No. 106 passed the Senate.

A petition was read by the secretary from the Commercial Club of Sedro-Woolley, Washington, petitioning the Legislature that an appropriation be made for the purpose of taking a census of the State, in accordance with the Constitution of the State of Washington.

On motion of Senator Hammer the petition was referred to the Committee on Memorials.

GENERAL FILE.

Engrossed copy, Senate bill No. 129, by Senator Palmer: An act to amend sections 1, 2, 3 and 6 of an act entitled "An act to provide for the extermination of coyotes and wolves in the State of Washington," etc., was placed on its third reading.

On motion of Senator Boone the words "or any other officer authorized to administer oaths" were inserted after the word "auditor," in line 9 of section 3 of the printed bill.

On motion of Senator Palmer the bill was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Condon, Davis, Earles, Hammer, Hunter, Kennedy, Kinnear, Le Crone, Palmer, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—30.

Those voting nay were: Senators Christian, Hutson, O'Donnell, Pauly—4.

Those absent or not voting were: Senators Baker, Clapp, Graves, Hemrich, Henry, Moore, Sharp, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 26: An act relating to liens for labor and materials, and amending, etc., was read third time and on motion of Senator Hutson, placed on final passage.

The bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell. Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson —33.

Those absent or not voting were: Senators Clapp, Graves, Hemrich, Henry, Kinnear, Palmer, Sharp, Smith (Dr. J. J.), Van de Vanter—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 101: An act defining petit larceny and fixing the penalty thereof, and amending section 831 of the Code of Washington, was read third time and on motion of Senator Tucker placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hunter, Hutson, Kennedy, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Clapp, Graves,

Hemrich, Henry, Kinnear, Moore, O'Donnell, Sharp, Smith (Dr. J. J.), Sumner, Van de Vanter—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 128: An act to amend sections 1, 3, 4, 5, 7 and 8 of an act entitled "An act for the prevention of the spread of contagious diseases," etc., was placed on its third reading.

On motion of Senator Brown the comma after the word "dangerous," in line 24, section 3 of the printed bill, was stricken out.

On motion of Senator Wilson the bill was placed on final passage, and failed to pass by the following vote:

Those voting yea were: Senators Boone, Bronson, Brown, Christian, Davis, Earles, Hammer, Kennedy, Le Crone, Palmer, Pogue, Rands, Reed, Smith (Dr. J. J.), Stewart, Tucker, Welsh, Wilson—18.

Those voting nay were: Senators Baker, Bratt, Hutson, Pauly, Potts, Russell, Ruth, Smith (S. T.), Sumner, Veness, Watson —11.

Those absent or not voting were: Senators Clapp, Condon, Graves, Hemrich, Henry, Hunter, Kinnear, Moore, O'Donnell, Rasher, Sharp, Stansell, Van de Vanter—13.

On motion of Senator Hammer the Senate resolved itself into a committee of the whole to consider Senate bill No. 121, an act appropriating the sum of $6,000.00 for the use and benefit of the Florence Crittenton and White Shield rescue work for the State of Washington.

The bill was considered in the committee of the whole, Senator Kennedy in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Kennedy the report of the committee of the whole was adopted.

On motion of Senator Rands the rules were suspended, and the reading of the bill had in the committee of the whole considered the third reading, and the bill placed on its final passage.

The bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Christian, Earles, Hammer, Hutson, Kennedy, Palmer, Pauly,

Pogue, Potts, Rands, Rasher, Reed, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—25.

Those voting nay were: Senators Brown, Russell, Ruth—3.

Those absent or not voting were: Senators Clapp, Condon, Davis, Graves, Hemrich, Henry, Hunter, Kinnear, Le Crone, Moore, O'Donnell, Sharp, Stansell, Van de Vanter—14.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 140: An act amending section 21 of chapter 143, Laws of 1903, relating to "river improvement districts," and the collection of taxes therein, was read third time and on motion of Senator Rands placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hutson, Kennedy, Kinnear, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stewart, Sumner, Tucker, Veness, Welsh, Wilson—30.

Those absent or not voting were: Senators Clapp, Graves, Hemrich, Henry, Hunter, Le Crone, O'Donnell, Smith (S. T.), Sharp, Stansell, Van de Vanter, Watson—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 132: An act relating to the presentation of claims for damages against cities and towns in this State, was read third time and on motion of Senator Hunter placed on final passage.

Senate bill No. 132 passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hunter, Hutson, Kennedy, Kinnear, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Veness, Watson—30.

Those absent or not voting were: Senators Clapp, Graves, Hemrich, Henry, Le Crone, O'Donnell, Sharp, Stansell, Tucker, Van de Vanter, Welsh, Wilson—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 68: An act empowering cities of the third class to levy and collect an annual street poll tax, and declaring an emergency, was read third time and on motion of Senator Welsh placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hunter, Hutson, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Clapp, Graves, Hemrich, Henry, Kinnear, O'Donnell, Sharp, Stansell, Van de Vanter—9.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hunter, Hutson, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Veness, Watson, Welsh, Wilson—32.

Senator Tucker voted nay.

Those absent or not voting were: Senators Clapp, Graves, Hemrich, Henry, Kinnear, O'Donnell, Sharp, Stansell, Van de Vanter—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 108: An act to provide against the adulteration of meal or ground grains used for feeding farm live stock, declaring the same a misdemeanor, etc., was read third time and on motion of Senator Smith (Dr. J. J.) placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hunter, Hutson, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Summer, Tucker, Veness, Watson, Wilson—31.

Those absent or not voting were: Senators Clapp, Graves,

Hemrich, Henry, Kinnear, O'Donnell, Sharp, Stansell, Stewart, Van de Vanter, Welsh—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 117: An act fixing salaries of county commissioners in counties of the first class and amending, etc., was placed on its third reading.

On motion of Senator Palmer the bill was amended by striking out the figures "2,000," in line 17, section 1 of the printed bill, and inserting in lieu thereof the figures "2,200."

On motion of Senator Moore the bill was amended by inserting the word "traveling" after the word "necessary," in line 16 of section 1 of the printed bill.

Senator Ruth moved that the figures "5.00" be stricken out in line 18, section 1 of the printed bill, and the figures "7.50" be inserted in lieu thereof.

The motion was lost.

On motion of Senator Moore line 7, of the title of the printed bill, was amended by striking out the words "of the Laws of Washington" and the word "Washington" was inserted between the words "Pierce's" and "Code," in said line.

On motion of Senator Moore the bill was amended by striking out the words "of the Laws of Washington," in line 7, section 1 of the printed bill, and also by inserting the word "Washington" between the words "Pierce's" and "Code," in line 6 of section 1.

On motion of Senator Kinnear the bill was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Condon, Davis, Earles, Hammer, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Watson, Wilson—33.

Those voting nay were: Senators Christian, Stewart—2.

Those absent or not voting were: Senators Clapp, Graves, Hemrich, Henry, Sharp, Van de Vanter, Welsh—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senator Baker gave notice of a motion to reconsider the vote by which House bill No. 88 failed to pass the Senate.

Senator Potts gave notice of a motion to reconsider the vote by which Senate bill No. 128 failed to pass the Senate.

The president announced the appointment of Senators Kinnear, Baker and Sumner, as a committee to investigate the advisability of reducing the number of Senate employes, in accordance with the resolution introduced yesterday by Senator Kinnear.

On motion of Senator Welsh it was ordered that Senate bill No. 68 be immediately transmitted to the House.

Senator Palmer moved that the Senate adjourn until 9 o'clock a. m. Friday, February 10, 1905.

Senator Hammer moved as an amendment that 10 o'clock be substituted for 9 o'clock.

The amendment was lost.

The motion of Senator Palmer was carried, and in accordance therewith the Senate adjourned at 12:15 o'clock p. m.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 10, 1905.
9 o'clock a. m.

The Senate was called to order by President Coon at 9 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Clapp, Earles, Graves, Hemrich, Henry, Smith (S. T.), Stewart, Sumner, Van de Vanter, all excused.

The following telegram was read by the secretary:

SPOKANE, WASH., February 9, 1905.

PRESIDENT OF THE SENATE:

Resolved, That it is the sense of this association that the public timber lands of the State of Washington should be held until needed for manufacturing, and that the logged-off lands belonging to the State be held for reforesting; and be it further

Resolved, That all legislators be requested to oppose any legislation which may lead to the State losing this valuable heritage; and, be it

Resolved, That these resolutions be wired to the speaker of the House and the president of the Senate.

A. L. PORTER, Secretary Lumbermen's Association.

On motion of Senator Bratt the communication was referred to the Committee on State Granted, School and Tide Lands.

Senator Baker moved the reconsideration of the vote by which House bill No. 88 failed to pass the Senate.

The motion was carried and House bill No. 88 ordered placed on the calendar.

On motion of Senator Tucker it was ordered that the Senate, when it adjourn, do adjourn until 2:30 o'clock p. m. Monday, February 13, 1905.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 118, entitled "An act relating to stock running at large in certain districts," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted. J. I. POGUE, Chairman.

We concur in this report: R. W. Condon, W. E. Bronson.

SENATE CHAMBER,
OLYMPIA, WASH., February 10, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 112, entitled "An act to establish a state fish hatchery on the Chehalis river in Lewis county, in the State of Washington," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: R. W. Condon, W. E. Bronson.

SENATE CHAMBER,
OLYMPIA, WASH., February 10, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 114, entitled "An act to amend sections 3, 9 and 24 of an act entitled 'An act to provide for the establishment and creation of drainage districts,'" have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: R. W. Condon, W. E. Bronson.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

We, your majority Committee on State Granted, School and Tide Lands. to whom was referred House bill No. 83, entitled "An act preventing the sale of lands set apart for the use, support," etc., "of the agricultural college without the consent of the board of regents of the said college." have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. G. POTTS, Chairman.

We concur in this report: J. R. O'Donnell, J. A. Veness, S. T. Smith, Jno. Earles, A. L. Watson.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

We, your minority Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 83, entitled "An act preventing the sale of lands set apart for the use, support," etc., "of the agricultural college without the consent of the board of regents of the said college," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS.
O. A. TUCKER.

Senator Welsh moved the adoption of the majority report on House bill No. 83.

Senator Wilson moved, as an amendment, that the minority report be substituted for the majority report.

The amendment was lost and the majority report adopted.

The president announced the receipt of a telegram advising the Senate of the death of Senator J. P. Sharp, of Kittitas and Chelan counties.

The following resolution was introduced by Senator Hammer, and adopted:

SENATE CONCURRENT RESOLUTION NO. 13.

***Resolved by the Senate, the House concurring*, That a joint committee of five members of the Senate, including the president *pro tem.*, and five members of the House, including the speaker, be appointed to attend the funeral of the late Senator J. P. Sharp, as representatives of this Legislature.**

The president announced the appointment, as Senate members of the joint committee to attend the funeral of the late Senator Sharp, Senators Baker, Moore, Rands, Reed and Christian.

The president also announced the appointment of Senator Hutson on the Committee on Public Revenue and Taxation, to fill a vacancy.

At 9:30 o'clock a. m., on motion of Senator Tucker, the Senate adjourned as a mark of respect to the memory of the late Senator J. P. Sharp.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTY-SIXTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 13, 1905.
2:30 o'clock p. m.

The Senate was called to order at 2:30 o'clock p. m. by President Coon, pursuant to adjournment.

Rev. W. S. Crockett offered prayer.

The secretary called the roll, all members being present except Senators Clapp, Henry, Smith (Dr. J. J.), Smith (S. T.), Sumner, and Van de Vanter, all excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

The following petitions were read by the secretary:

SPOKANE CHAMBER OF COMMERCE.
February 7, 1905.

WHEREAS, The reclamation of semi-arid lands of eastern Washington will not only provide homes for thousands of people, but will add great wealth to the State, and

WHEREAS, The work of the reclamation is of such gigantic proportions as to preclude the investment of private capital, and therefore can be undertaken and carried to successful issue only by the aid of the national government, and

WHEREAS, Before any reclamation project can be undertaken by the national government it is necessary that a complete topographic survey be had of the lands to be reclaimed, and

WHEREAS, Other states have considered the reclamation of the arid lands of such great utility that liberal appropriations have been made to assist in the work of topographic surveys; therefore be it

Resolved, That we, the board of trustees of the Spokane chamber of commerce, recommend the appropriation of $25,000 by the State Legislature to be paid annually for the purpose of assisting in the work of completing a topographic survey of the State at as early a date as possible, and that the expenditure be authorized for work in the survey of the semi-arid sections of the State.

Resolved, That a copy of these resolutions be spread upon the minutes of this association, and that a copy be forwarded to the clerk of the Senate and House of the State Legislature.

Resolved, That we urge the members of the Spokane legislative delegation to support this measure both in the House and in the Senate, and that copies of these resolutions be sent to each of the members as expressive of our desire for this immediate legislation.

F. E. GOODALL, President.

Attest: (Signed)—L. G. MUNROE, Secretary.

(Seal Chamber of Commerce.)

On motion of Senator Rasher the communication was referred to the Committee on Appropriations.

The secretary also read the following petition:

SPOKANE CHAMBER OF COMMERCE.

WHEREAS, The horticultural possibilities of Washington are surpassed by no other State in the Union, and

WHEREAS, In the development of the natural resources of the State, fruit growing if properly state-guarded is destined to take first rank, and

WHEREAS, The fruit growers, in our judgment, are best qualified to determine what legislation is needed to promote the fruit industry, and

WHEREAS, The Washington State Horticultural association has recommended certain amendments to the state horticultural law, said amendments being embodied in House bill No. 168, now pending before the State Legislature; therefore be it

Resolved, That we, the board of trustees of the Spokane chamber of commerce, memorialize the State Legislature to enact House bill No. 168 into a law.

Resolved, That a copy of these resolutions be forwarded to the clerk of the House and the clerk of the Senate: that a copy be forwarded to the chairman of the Spokane county legislative delegation, and that we urge our representatives to support this measure.

F. E. GOODALL, President.

Attest: (Signed)—L. G. MUNROE, Secretary.

On motion of Senator Rasher the communication was referred to the Committee on Horticulture and Forestry.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 126, entitled "An act permitting

railroad companies to acquire a perpetual easement," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In section 1, line 9 of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "ten."

In section 2, line 5, insert after the word "Ballinger's" the word "Annotated."

W. G. POTTS, Chairman.

We concur in this report: S. T. Smith, J. R. O'Donnell, A. L. Watson, E. M. Rands, O. A. Tucker, Jno. Earles.

On motion of Senator Potts the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage, to whom was referred Senate bill No. 133, entitled "An act authorizing the assessment of lands held or owned by the State of Washington, within the limits of diking or drainage districts in any county within the State, and providing for the payment of such assessments," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

EMERSON HAMMER, Chairman.

I concur in this report: S. M. Le Crone.

SENATE CHAMBER,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bill of expenses of the irrigation commission of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be disallowed.

JOHN T. WELSH.
S. T. SMITH.
FRED M. PAULY.

On motion of Senator Welsh the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 12, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill bill No. 67, entitled "An act to enable coroners of counties having a

population of fifty thousand or more inhabitants to appoint a deputy coroner for such counties, and prescribe his duties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In line 3, section 3, of the printed bill, after the word "coroner," strike the period, substitute a comma therefor, and add to said section the following words: "*Provided*, That such deputy shall receive no salary from the county."

Strike out section 4 of the printed bill.

E. M. RANDS, Chairman.

We concur in this report: Walter Christian, John T. Welsh, E. B. Palmer, T. A. Hunter, S. S. Russell, Charles T. Hutson, Will G. Graves.

On motion of Senator Palmer Senate bill No. 67 was re-referred to the Committee on Judiciary.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 13, 1905.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 13, providing a committee to attend the funeral of the late Senator J. P. Sharp,. As House members of said committee the speaker appointed Representatives Dickson, Hare, Hughes, Bishop and Minard.

The House also has passed House bill No. 62, entitled "An act for the relief of Skamania county."

Also House bill No. 92, entitled "An act repealing parts of the present School Code."

Also House bill No. 84, entitled "An act relating to the foreclosure of delinquent tax certificates."

Also House bill No. 102, entitled "An act to enable cities having sufficient population to incorporate."

Also House bill No. 214, entitled "An act making an appropriation for the division of public documents of the state library."

Also House bill No. 155, entitled "An act to provide for state depositories and to regulate the deposits of public money therein."

Also House bill No. 44, entitled "An act providing for the incorporation of live stock insurance associations."

Also House bill No. 167, entitled "An act relating to revenue and taxation."

Also House bill No. 172, entitled "An act directing the sale of certain lands."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Potts the vote by which Senate bill No. 128 failed to pass the Senate was reconsidered, and the bill ordered placed on the calendar.

INTRODUCTION OF BILLS.

Senate bill No. 162, by Senator Davis: An act relating to all persons, associations, companies or corporations engaged in gathering news and the distribution thereof, and declaring the same to be common carriers, and providing penalties for discrimination between patrons thereof, or persons desiring to become patrons, and declaring an emergency.

The bill was read the first time, and on motion of Senator Davis the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 163, by Senator Hammer: An act to provide for the payment of expenses incurred in compliance with an act entitled "An act to provide for the construction and maintenance of dikes and dams in certain cases," etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dikes, Drains and Drainage.

Senate bill No. 164, by Senator Hammer: An act to prevent discrimination in the distribution of cars by railroad companies, and providing a penalty therefor.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Railroads and Transportation.

Senate bill No. 165, by Senator Pauly: An act to validate assessments made, or which may be made, to pay for local improvements, by any incorporated cities in this State, and to prohibit the setting of such assessments aside or declaring the same invalid upon any ground other than upon the ground of fraud.

The bill was read the first time, and on motion of Senator Pauly the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 166, by Senator Potts: An act amending section 15 of an act entitled "An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes, and the manner of the expenditure thereof," etc., the same being section 15 of chapter 119, of the Session Laws of 1903.

The bill was read the first time, and on motion of Senator Potts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate bill No. 167, by Senator Hunter: An act regulating the production, keeping, transportation, sale, exchange, receipt and disposal of milk and cream for food purposes, providing penalties, making an appropriation for the fiscal year beginning April 1st, 1905, and declaring an emergency.

The bill was read the first time, and on motion of Senator Hunter the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry and Hygiene.

Senate bill No. 168, by Senator Hunter: An act for the prevention, control and cure of tuberculosis, providing for investigation and report thereon by the state board of health, and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Hunter the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 169, by Senator Russell: An act defining who may be construed to be fellow servants.

The bill was read the first time, and on motion of Senator Russell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 170, by Senator Stewart: An act fixing the fees to be paid to the secretary of state by corporations doing business in this State and repealing all acts and parts of acts in conflict herewith.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Corporations other than Municipal.

Senate bill No. 171, by Senator Palmer: An act to prohibit boycotting, unfair lists, picketing or other interferences with the lawful business or occupation of others, and to provide a penalty therefor.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Manufactures.

Senate bill No. 172, by Senator Rands: An act setting aside and dedicating certain lands of the State as a public highway.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 173, by Senator Bratt: An act to provide for the disposition of the delinquent tax lists of the several counties of the State of Washington.

The bill was read the first time, and on motion of Senator Bratt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 174, by Senator Ruth: An act amending section 6 of "An act to create a state oyster commission, to define its duties and powers," etc.

The bill was read the first time, and on motion of Senator Ruth the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 62: An act for the relief of Skamania county.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 92: An act to amend an act relating to the establishment of a general uniform system of public schools, etc.

The bill was read the first time, and on motion of Senator LeCrone the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

House bill No. 84: An act requiring holders of delinquent tax certificates to make in the foreclosure of such certificates the holders of municipal improvement bonds parties defendant and serve them with notice of such foreclosure proceedings in certain cases.

The bill was read the first time, and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Revenue and Taxation.

House bill No. 214: An act making an appropriation for the use of the division of public documents of the state library, and declaring an emergency.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title and referred to the Committee on Appropriations.

House bill No. 155: An act to provide for state depositories and regulate the deposits of public moneys therein.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title, and referred to the Committee on Banks and Banking.

House bill No. 44: An act providing for the incorporation and regulation of live stock insurance associations, and declaring an emergency.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title, and referred to the Committee on Insurance.

House bill No. 167: An act amending an act entitled, "An act to amend section 1657 of Ballinger's Annotated Codes and Statutes of Washington, relating to revenue and taxation," passed the Senate and House June 12, 1901, notwithstanding the veto of the Governor.

The bill was read the first time, and on motion of Senator

Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 172: An act directing the sale of the following described land, to-wit: etc., being 2.50 acres in sections 17 and 18, township 9 north, range 9 west of W. M., and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 102: An act to enable cities of the first, second and third classes, and other cities and towns working under special charters, etc., to exercise the right of eminent domain, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

GENERAL FILE.

House bill No. 30: An act in relation to estrays, prescribing penalties for the violation thereof; was placed on its third reading.

Senator Palmer moved that the bill be referred to the Committee on Judiciary.

Senator Boone moved as a substitute that the bill be placed on final passage, which was carried.

The secretary called the roll and House bill No. 30 passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hemrich, Hunter, Hutson, Kennedy, Kinnear, LeCrone, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—31.

Senator Palmer voted nay.

Those absent or not voting were: Senators Clapp, Graves, Henry, Moore, O'Donnell, Smith (Dr. J. J.), Smith (S. T.), Sumner, Van de Vanter—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 13, 1905.

MR. PRESIDENT:

The House has passed House memorial No. 9, urging the ratification of international arbitration treaties. If this memorial is passed by the Senate the clerk of the House is instructed to wire the contents thereof to the Senate of the United States.

House memorial No. 9 is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 13, 1905.

MR. PRESIDENT:

The speaker has signed House bill No. 93, entitled "An act for the relief of Dora W. Cryderman and others."

Also House bill No. 20, an act providing for the commitment of juvenile offenders to the state reform school.

Also House bill No. 2, providing for the control of delinquent children.

Also House bill No. 81, permitting county commissioners to make exhibits at the Lewis and Clark exposition.

Also House bill 47, for the relief of Joseph Canutt.

Also House bill No. 48, relating to costs in civil actions.

Also House bill No. 26, for the relief of Garfield county.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 9, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 71, relating to organization and management of private corporations.

Also Senate bill No. 83, relating to bonds of guardians.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 100: An act creating the office of chaplain of the state penitentiary, prescribing his duties, fixing his compensation, and declaring an emergency, was placed on its third reading.

On motion of Senator Rands the word "shall," at the end of line 11, section 2 of the printed bill, was stricken out.

On motion of Senator Palmer the words "or affirmation" were

inserted after the word "oath" in line 16, section 2 of the printed bill.

On motion of Senator Rands the words "shall have," in line 18, section 2 of the printed bill, were stricken out and the word "has" inserted in lieu thereof.

On motion of Senator Russell the word "fruits" was stricken out in line 18, section 2 of the printed bill, and the word "results" inserted in lieu thereof.

Senator Stewart moved that the bill be indefinitely postponed.

The following senators demanded a roll call on the motion: Senators Baker, Boone, Ruth, Potts, Rands, Palmer, Wilson.

The seceratry called the roll, the question being "Shall the bill be indefinitely postponed?"

The motion was lost by the following vote:

Those voting yea were: Senators Brown, Earles, Graves, Hunter, Moore, Rasher, Stewart, Welsh—8.

Those voting nay were: Senators Baker, Boone, Bratt, Bronson, Christian, Condon, Davis, Hammer, Hemrich, Hutson, Kennedy, Kinnear, O'Dnonell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Stansell, Tucker, Veness, Watson, Wilson—26.

Those absent or not voting were: Senators Clapp, Henry, Le Crone, Smith (Dr. J. J.), Smith (S. T.), Sumner, Van de Vanter —7.

On motion of Senator Davis House bill No. 100 was referred to the Committee on Appropriations.

The following bills were signed by the president: House bill No. 93, House bill No. 20, House bill No. 2, House bill No. 81, House bill No. 47, House bill No. 48, House bill No. 26.

House bill No. 88: An act amending section 3034 of Pierce's Code, being section 6754 of Ballinger's Annotated Codes and Statutes of Washington, relating to appeals to superior courts, was, on motion of Senator Potts, placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hammer, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Stansell, Stewart, Tucker, Veness, Welsh, Wilson—31.

Those voting nay were: Senators Boone, Palmer, Russell, Watson—4.

Those absent or not voting were: Senators Clapp, Henry, Smith (Dr. J. J.), Smith (S. T.), Sumner, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 128: An act amending an act relating to contagious diseases, etc.

On motion of Senator Wilson the bill was amended by striking out that portion of section 1 of the printed bill after the word "be,' in line 14, and to the word "The" in line 20 of section 1 of the printed bill.

On motion of Senator Tucker the bill, as amended, was placed on final passage, and passed by the following vote.

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Stewart, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Clapp, Graves, Henry, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wilson the rules were suspended and the bill ordered transmitted to the House immediately.

Engrossed copy, Senate bill No. 118: An act relating to stock running at large in certain districts, was placed on its third reading.

On motion of Senator Graves the words "on the premises of the owner," in line 4 of section 1 of the printed bill, were stricken out.

On motion of Senator Russell the words "under their hands," in line 5 of section 1, were stricken out and the words "in writing" inserted in lieu thereof.

On motion of Senator Reed the rules were suspended, the bill considered engrossed and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown,

Christian, Davis, Earles, Graves, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Potts, Rasher, Reed, Russell, Ruth, Welsh, Wilson—24.

Those voting nay were: Senators Baker, Condon, Hammer, Stewart, Tucker, Watson—6.

Those absent or not voting were: Senators Clapp, Henry, O'Donnell, Pogue, Rands, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Van de Vanter, Veness—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 133: An act authorizing the assessment of lands held or owned by the State of Washington, within the limits of diking or drainage districts in any county within the State, and providing for the payment of such assessments, was placed on its third reading.

On motion of Senator Hammer the following amendment was adopted:

"Section 5. When any land owned or held by the State within the limits of any diking or drainage district or districts in this State has heretofore been assessed for improvements under general diking or drainage laws and such assessment remains due and delinquent on the rolls of said district or districts, the same shall be certified to the commissioner of public lands in the manner, and subject to the provisions of section 3 of this act."

On motion of Senator Moore the bill was referred to the Committee on Judiciary.

Engrossed copy, Senate bill No. 112: An act to establish a state fish hatchery on the Chehalis river in Lewis county, and making an appropriation therefor.

On motion of Senator Welsh the Senate resolved itself into a committee of the whole to consider Senate bill No. 112.

The bill was considered in the Committee of the whole, Senator Tucker in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Tucker the report of the committee was adopted, the rules suspended, and the reading had in the committee of the whole considered the third reading of the bill.

On motion of Senator Veness the bill was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Earles, Hammer, Henrich, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Stewart, Tucker, Veness, Watson, Welsh, Wilson—30.

Those absent or not voting were: Senators Clapp, Davis, Graves, Henry, Hunter, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Van de Vanter—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

House memorial No. 9, memorializing Congress of the United States to adopt the principle of international arbitration.

The memorial was read first time, and on motion of Senator Kennedy the rules were suspended, the memorial read second time by title, and referred to the Committee on Memorials.

Senator Bratt gave notice of a motion to reconsider the vote by which Senate bill No. 118 passed the Senate.

At 4:15 p. m., on motion of Senator Baker, the Senate adjourned until 10:30 o'clock a. m. Tuesday, February 14. 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 14, 1905.
10:30 o'clock a. m.

The Senate was called to order at 10:30 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. W. S. Crockett offered prayer.

The secretary called the roll, all members being present except Senators Clapp, excused, Henry, excused, Smith (S. T.), Sumner, and Van de Vanter, excused.

There being no objection Senators Palmer and Boone were excused from tomorrow's session, at their request.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Bratt the vote by which Senate bill No. 118 passed the Senate was reconsidered, and the bill ordered placed on the calendar.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 118, entitled "An act relating to stock running at large in certain districts," have compared the same with the original bill and find the same correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon, S. S Russell, W. E. Bronson.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 128, entitled "An act to amend an act to prevent the spread of contagious diseases," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon, S. S. Russell, W. E. Bronson.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 126, entitled "An act permitting railroad companies to acquire a perpetual easement and right of occupancy of portion of the public lands of the State of Washington for railroad purposes," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon, S. S. Russell, W. E. Bronson.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 57, entitled "An act making a deficiency appropriation for the state oyster board of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: Lincoln Davis, E. Hammer, A. L. Watson, Geo. H. Baker, W. G. Potts, Jno. Earles.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred Senate bill No. 154, entitled "An act to prohibit the advertisement of treatment or cure of diseases and disorders of the sexual organs," have had the same under consideration, and we respect-

fully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., February 13, 1905.

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 1, entitled "An act regulating common carriers, fixing the maximum railroad passenger rates in the State of Washington, and providing for the due enforcement and observance of the rates so fixed," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

In line 2, section 4 of the printed bill, after the word "exceed," strike out the word "fifty" and insert the words "one hundred" in lieu thereof.

M. E. STANSELL, Acting Chairman.

We concur in this report: Charles T. Hutson, E. M. Rands, C. G. Brown, J. A. Veness, G. B. Wilson.

On motion of Senator Stansell the report of the committee was adopted.

On motion of Senator Stansell the rules were suspended, Senate bill No. 1 considered engrossed, read third time, and placed on final passage.

The bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hammer, Hemrich, Hutson, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson —33.

Those absent or not voting were: Senators Clapp, Henry, Hunter, Kinnear, Moore, Smith (S. T.), Sumner, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Stansell the rules were suspended, and the bill ordered transmitted to the House immediately.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 102, entitled "An act to enable cities of the first, second and third classes, and other cities and towns working under special charters, having sufficient population to authorize them to re-incorporate under the laws of the State of Washington, as cities of the first, second or third class, to exercise the right of eminent domain for the taking and damaging of land and property for public purposes, providing a method for making compensation therefor, and providing for special assessments in certain cases upon property benefitted, and declaring an emergency, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, John T. Welsh, S. S. Russell, E. B. Palmer, Walter Christian, O. A. Tucker, Wm. Hickman Moore.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate bill No. 41, entitled "An act to prevent the extension of special privileges to public officers or employes by quasi public agencies," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Strike out section 4 of the printed bill.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, Walter Christian, E. B. Palmer.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate bill No. 41, entitled "An act to prevent the extension of special privileges to public officers or employes by quasi public agencies," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Strike section 4 of the printed bill and substitute the following

therefor: "Sec. 4. This act shall not apply to city employes, other than elective, who by charter or ordinance are given free transportation upon street railways within their respective municipalities."

WILL G. GRAVES,
O. A. TUCKER,
WM. HICKMAN MOORE.

Senator Rands moved the adoption of the majority report of the Committee on Judiciary on Senate bill No. 41.

Senator Graves moved, as a substitute, that the minority report of the committee be adopted.

The substitute was lost and the majority report was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 67, entitled "An act to enable coroners of counties having a population of fifty thousand or more inhabitants to appoint a deputy coroner for such counties, and prescribe his duties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 3, section 3 of the printed bill, after the word "coroner" strike the period, substitute a colon therefor, and add to said section the following words: "Provided, That such deputy shall receive no compensation from the county."

Strike out section 4 of the printed bill.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, Walter Christian, Will G. Graves, John T. Welsh, Wm. Hickman Moore.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER.
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 11, entitled "An act establishing the office of public administrator, and defining the powers and duties of such officer," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, Walter Christian, O. A Tucker, E. B Palmer, Will G. Graves, John T. Welsh, Wm. Hickman Moore.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 13, 1905.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 19, entitled "An act authorizing the assessment of lands held or owned by any county in the State, within the limits of incorporated cities or towns in such county, for local improvements and providing for the payment of such assessments," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. R. O'DONNELL, Chairman.

We concur in this report: A. L. Watson, E. Hammer, Walter J. Reed, C. L. Stewart, Geo. A. Kennedy, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., February 13, 1905.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 150, entitled "An act relating to the maintenance, repair and renewal of sidewalks in cities of first, second, third and fourth class." etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. R. O'DONNELL, Chairman.

We concur in this report: A. L. Watson, E. Hammer, Walter J. Reed, J. J. Smith, C. L. Stewart, Geo. A. Kennedy.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

I, a minority of your Committee on Judiciary, to whom was referred House bill No. 167, entitled "An act amending an act entitled 'An act to amend section 1657 of Ballinger's Annotated Codes and Statutes of Washington relating to revenue and taxation,' passed the Senate and the House June 12, 1901, notwithstanding the veto of the Governor," have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, Walter Christian, Will G. Graves, John T. Welsh, O. A. Tucker, Wm. Hickman Moore.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred House bill No. 167, entitled "An act amending an act entitled 'An act to amend section 1657 of Ballinger's Annotated Codes and Statutes of Washington, relating to revenue and taxation,' passed the Senate and the House June 12, 1901, notwithstanding the veto of the Governor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to Revenue and Taxation Committee.

E. B. PALMER.

Senator Rands moved the adoption of the majority report of the Committee on Judiciary on House bill No. 167.

Senator Palmer moved, as a substitute, that the minority report be adopted.

The substitute was carried and the minority report adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred House bill No. 106, entitled "An act relating to the punishment of the crime of seduction, and amending section 7066 of Ballinger's Codes and Statutes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, Walter Christian, Will G. Graves, John T. Welsh.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred House bill No. 106, entitled "An act relating to the punishment of the crime of seduction, and amending section 7066 of Ballinger's Codes and Statutes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER,
O. A. TUCKER,
WM. HICKMAN MOORE.

Senator Rands moved the adoption of the majority report of the Committee on Judiciary on House bill No. 106.

Senator Tucker moved, as a substitute, that the minority report be adopted.

The substitute was carried and the minority report was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred House bill No. 103, entitled "An act relieving cities and towns from liability for death or damage to person or property upon streets, alleys or other public places, which have not been improved and opened to public travel," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, John T. Welsh, S. S. Russell, Will G. Graves, Walter Christian, O. A. Tucker, Wm. Hickman Moore.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

I, a minority of your Committee on Judiciary, to whom was referred House bill No. 103, entitled "An act relieving cities and towns from liability for death or damages to person or property upon streets, alleys or other public places, which have not been improved and opened to public travel," have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER.

Senator Rands moved the adoption of the majority report of the Committee on Judiciary on House bill No. 103.

Senator Palmer moved, as a substitute, that the minority report be adopted.

The substitute was lost and the majority report was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 175, by Senator Earles: An act amending section 3 of chapter 176 of the Laws of 1903, entitled "An act providing for the incorporation of trust companies, and defining their powers and duties," approved March 17, 1903.

The bill was read the first time, and on motion of Senator

Earles the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 176, by Senator Stewart: An act to amend section 5 of an act entitled "An act to provide for the incorporation of associations for social, charitable and educational purposes," approved March 21, 1895, the same being section 7181 of Pierce's Washington Code.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate bill No. 177, by Senator Baker: An act to create the county of Benton, subject to the requirements of the state constitution and statutes in respect to the etsablishment of new counties.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Counties and County Boundaries.

Senate bill No. 178, by Senator Baker: An act amending section 4 of an act entitled "An act to promote the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commission of horticulture; to repeal certain laws in conflict therewith, and to provide penalties and punishment for its violation, and declaring an emergency," approved March 16, 1903.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Horticulture and Forestry.

Senate bill No. 179, by Senator O'Donnell: An act exempting from taxation certain funds and property used in their regular work and not invested for pecuniary profit, belonging to subordinate lodges, chapters and encampments of Free and Accepted Masons, Independent Order of Odd Fellows, Knights of Pythias, and all other fraternal societies doing similar benevolent work in the State of Washington.

The bill was read the first time, and on motion of Senator

O'Donnell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

Senator Moore offered to introduce the following bill: "An act to prevent the sale of lands set apart for the use, support, establishment, maintenance and endowment of the state agricultural college experiment station and school of science of the State of Washington without the consent of the board of regents of said college."

The president ruled that as the bill offered covered the same matter as House bill No. 83, which was indefinitely postponed Friday, February 10, 1905, it could not under the rules be received.

Senator Moore moved that the rules be suspended and the bill received.

The motion was lost.

GENERAL FILE.

Senate bill No. 118: An act relating to stock running at large in certain districts, was on motion of Senator Bratt placed on final passage, and failed to pass by the following vote:

Those voting yea were: Senators Boone, Christian, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer; Pauly, Reed, Russell, Ruth, Tucker, Welsh—13.

Those voting nay were: Senators Baker, Bratt, Bronson, Brown, Condon, Davis, Earles, Graves, Hammer, Hemrich, Hunter, Hutson, Pogue, Potts, Rands, Rasher, Smith (Dr. J. J.), Stansell, Stewart, Veness, Watson, Wilson—22.

Those absent or not voting were: Senators Clapp, Henry, Moore, Smith (S. T.), Sumner, Van de Vanter—6.

Engrossed copy, Senate bill No. 126: An act permitting railroad companies to acquire a perpetual easement and right of occupancy of portions of the public lands of the State of Washington for railroad purposes, was placed on its third reading.

On motion of Senator Rands the figures "20," in line 8, section 1 of the printed bill, were stricken out and the figures "10" inserted in lieu thereof, and in line 9 of section 1 of the amended bill the word "ten" was stricken out and the word "twenty" inserted in lieu thereof.

On motion of Senator Rands the word "Annotated" was inserted

after the word "Ballinger's" in line 13 of section 5 of the printed bill.

On motion of Senator Rands the rules were suspended, the bill considered engrossed, and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Condon, Earles, Hammer, Hemrich, Hunter, Hutson, Kennedy, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Ruth, Stansell, Stewart, Veness, Watson, Wilson—23.

Those voting nay were: Senators Boone, Palmer, Smith (Dr. J. J.)—3.

Those absent or not voting were: Senators Bratt, Clapp, Davis, Graves, Henry, Kinnear, Le Crone, Rasher, Reed, Russell, Smith (S. T.), Stansell, Sumner, Tucker, Van de Vanter, Welsh—16.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Stansell the Senate resolved itself into a committee of the whole to consider House bill No. 57.

The bill was considered in the committee of the whole, Senator Stansell in the chair, and reported back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

On motion of Senator Stansell the report of the committee of the whole was adopted.

The following report was read by the secretary and on motion of Senator Veness referred to the Committee on Appropriations:

OLYMPIA, WASH., February 13, 1905.

MR. PRESIDENT:

We, your committee appointed to visit the reform school and investigate the needs of that institution relative to additional lands, beg leave to report: We recommend that the board of control be authorized to purchase one hundred acres of land, more or less, same to adjoin lands now owned by the State and occupied by said reform school.

J. A. VENESS,
H. RASHER,
Members of the Senate.

GEO. MCCOY,
H. C. FULTON,
E. A. BLACKMORE,
Members of the House.

At 12:10 p. m., on motion of Senator Palmer, the Senate adjourned until 2:30 o'clock p. m. Wednesday, February 15, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTY-EIGHTH DAY.

AFTERNOON SESSION.

2:30 o'clock p. m.
OLYMPIA, WASHINGTON, Wednesday, February 16, 1905.
SENATE CHAMBER,

The Senate was called to order at 2:30 o'clock p. m. by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senators Clapp, excused, Palmer, excused, Rasher, excused, Van de Vanter, excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

Senator Ruth gave notice of a motion to reconsider the vote by which Senate bill No. 126 passed the Senate.

On motion of Senator Tucker the following resolution was adopted.

Resolved, That no bill shall be considered on third reading and final passage which is not designated upon the daily calendar 24 hours prior to said time.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate

bill No. 119, entitled "An act to promote the apicultural interests of the State of Washington, providing for county inspectors of apiaries, defining his duties," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 3 of section 1 of the printed bill, after the word "and" strike out the word "possessor" and insert the word "owner" therefor.

In line 2, section 2 of printed bill, after the words "of any" strike out the words "or every."

In line 12, section 2 of printed bill, in sentence beginning with "Any and all," strike out "Any and," and begin the sentence with "All."

In section 3, line 2 of printed bill, strike out the last word, "when," and also strike out all of line 3, being the words "required by said board," and substitute therefor the words "at their October meeting of each year."

In section 5, line 4 of original bill, after the words "foul brood or," strike out the word "any."

In section 6, lines 4 and 5 of printed bill, strike out the sentence "Any person violating the provisions of this section shall be deemed guilty of a misdemeanor."

In section 7, line 5 of printed bill, after the words "so infected," strike out the words "shall be deemed guilty of a misdemeanor."

Combine sections 7 and 8, putting all in section 7.

In line 1, section 8 of printed bill, strike out the words and punctuation "Sec. 8. Any person or persons," and substitute therefor the word "or."

In line 2 of section 8 of printed bill, after the words "of this act," insert the words "or who shall violate any of the provisions of this act."

In line 3, section 8 of printed bill, after the word "misdemeanor," strike out the period (.) and insert therefor a comma (,) and add the words "and upon conviction thereof shall be fined in any sum not to exceed one hundred ($100) dollars."

Strike out all of section 9.

M. E. STANSELL, Chairman.

We concur in this report: S. S. Russell, E. C. Bratt, Fred M. Pauly, J. I. Pogue.

On motion of Senator Stansell the report was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 24, entitled "An act providing

for the appointment and election of a judge of the superior court for the counties of Stevens and Ferry," etc., with the following amendments:

Amend title as follows: In line 3 of engrossed bill, being line 2 of printed bill, strike out the word "counties" and substitute therefor the word "county." In same line, strike out the words "and Ferry, jointly."

Strike out everything between the word "and," at the end of line 5 in engrossed bill, being the word "and" in line 4 of printed bill, and including the word "and" immediately following the word "preside" in line 11 of the engrossed bill, being line 7 of printed bill.

In line 3 of section 1 of the engrossed bill, being line 2 of section 1 of the printed bill, strike out the word "counties" and substitute therefor the word "county."

In line 4 of section 1 of engrossed bill, being line 3 of section 1 of printed bill, strike out the words "and Ferry, jointly."

Strike out all of section 1 following the word "Spokane."

In line 3 of section 2 of engrossed bill, being line 2 of section 2 of printed bill, strike out the word "counties" and insert in lieu thereof the word "county."

In lines 3 and 4 of section 2 of engrossed bill, being lines 2 and 3 of section 2 of the printed bill, strike out the words "and Ferry, jointly."

In line 3 of section 3 of engrossed bill, being line 2 of section 3 of printed bill, strike out the word "counties" and substitute therefor the word "county." In same line strike out the words "and Ferry, jointly."

Strike out section 4.

Renumber sections 5, 6 and 7.

In line 3 of section 5 of engrossed bill, being line 2 of section 5 of printed bill, strike out the word "counties" and substitute therefor the word "county." In same line, strike out the words "and Ferry, jointly."

In line 4 of section 6 of engrossed bill, strike out the word "counties" and substitute therefor the word "county." In same line, strike out the words "and Ferry, jointly."

Strike out everything in section 6 following the word "judge," in line 5 of the engrossed bill.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 137, entitled "An act providing for the irrigation, improvement and sale of certain state lands," have had the same under consideration, and we respectfully report back to the Senate the

accompanying bill as the committee substitute bill, with the recommendation that it be substituted for Senate bill No. 137, and recommend that said committee substitute bill be printed and that it do pass.

CHARLES T. HUTSON, Chairman.

We concur in his report: J. I. Pogue, Walter J. Reed, A. S. Ruth, A. L. Watson, Wm, Hickman Moore.

On motion of Senator Pogue the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred House bill No. 44, entitled "An act providing for the incorporation and regulation of live stock insurance and associations, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, Chairman.

We concur in this report: Lincoln Davis, Charles T. Hutson, Geo. H. Baker, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 74, entitled "An act to repeal an act entitled 'An act to amend section 1 (Pierce's Code, section 3921) of an act entitled "An act to provide for annexing certain territory to a neighboring county to which it is contiguous," and to repeal section 10 of said act,' approved March 9, 1891," approved by the Governor March 16, 1903, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WALTER J. REED, Chairman.

We concur in this report: H. M. Boone, Fred M. Pauly, Charles T. Hutson, Geo. H. Baker.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 57, entitled "An act making deficiency appropriation for the state oyster board of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. H. BAKER, Chairman.

We concur in this report: O. A. Tucker, J. A. Veness, T. B. Sumner, C. L. Stewart, E. Hammer.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 100, entitled "An act creating the office of chaplain of the state penitentiary, prescribing his duties, and fixing his compensation," have ha dthe same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

In line 6 of printed bill, after the word "instruction," strike out the words "to take charge," in line 7.

GEO. H. BAKER, Chairman.

We concur in this report: J. A. Veness, E. M. Rands, O. A. Tucker.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 105, entitled "An act appropriating the sum of $5,000 for carrying out the purpose of an act providing for the acquirement of grounds surrounding and including what was the Whitman Mission," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. H. BAKER, Chairman.

We concur in this report: E. M. Rands, E. Hammer, G. B. Wilson, J. A. Veness, C. L. Stewart, H. Rasher.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 214, entitled "An act making an appropriation for the division of public documents," etc., "of the state library," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. H. BAKER, Chairman.

We concur in this report: J. A. Veness, T. B. Sumner, C. L. Stewart, E. Hammer, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 151, entitled "An act appropriating money for an artesian well, and providing for a commission to expend same," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. H. BAKER, Chairman.

We concur in this report: J. A. Veness, T. B. Sumner, C. L. Stewart, E. Hammer, O. A. Tucker.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 14, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 54, entitled "An act to appropriate funds for the payment of mileage of the presidential electors of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In line 1 of section 1 of the printed bill, strike out the figures "$588.30" and insert in lieu thereof the words "five hundred and fifteen dollars and twenty cents."

In line 9 of the printed bill strike the amount "$112.50," and in lieu thereof insert the amount "$39.40."

GEO. H. BAKER, Chairman.

We concur in this report: J. A. Veness, E. M. Rands, T. B. Sumner, C. L. Stewart, E. Hammer, O. A. Tucker.

On motion of Senator Baker the report of the committee was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 41, entitled "An act to prevent the extension of special privileges to public officers or employes by quasi public agencies," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, W. E. Bronson.

SENATE CHAMBER,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 126, entitled "An act permitting railroad companies to acquire a perpetual easement and right of occupancy of portions of the public lands of the State of Washington for railroad purposes," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charies T. Hutson, W. E. Bronson.

SENATE CHAMBER,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 67, entitled "An act providing for the appointment of deputy coroners in certain counties," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: Charies T. Hutson, W. E. Bronson.

REPORT OF SPECIAL COMMITTEE.

MR. PRESIDENT:

We, your committee appointed in pursuance of a resolution adopted by this body on the 9th inst. for the purpose of inquiring into the number of employes required by the Senate and adjusting their salaries, now respectfully report as follows:

That your committee, on due examination, find the number of Senate employes is excessive; that the per diem of the membership of this body amounts to $210, and that the employes' salaries, per day, amounts to $235, $25 per day in excess of the salaries of members of the Senate.

That your committee also finds there are at present fifty-five employes on the payroll of this body, while the Senate membership is but forty-two, and we further find that thirty-eight employes are sufficient for the transaction of all the business of this body. We therefore respectfully recommend that the folowing list of thirty-eight employes be adopted as the full list of employes for this body, from and after this date, with their per diem set opposite their names, respectively, being the same amounts allowed two years ago for like services. Said list is as follows:

J. W. Lysons, secretary	$ 6.00
W. T. Laube, assistant secretary	6.00
C. B. Wood, docket and pay clerk	5.00
George Gregory, minute clerk	4.50

J. H. Mathews, journal clerk	5.00
J. Fred Duffy, assistant journal clerk	5.00
F. A. Hall, enrolling clerk	4.00
Frank Seidel, assistant enrolling clerk	4.00
Louis G. Todd, engrossing clerk	4.00
F. M. Burke, assistant engrossing clerk	4.00
L. W. Speece, general messenger	4.00
W. E. Ostrander, stenographer	5.00
W. H. Bennett, secretary to lieutenant governor	4.00
W .V. Tanner, committee clerk	5.00
John E. Dobbs, committee clerk	4.00
George Taylor, committee clerk	4.00
I. E. Wilson, committe clerk	4.00
H. R. Crosier, committee clerk	4.00
J. C. MacInnes, committee clerk	4.00
W. E. Elwell, committee clerk	4.00
M. L. Arnold, committee clerk	4.00
G. B. Hunt, committee clerk	4.00
A. H. Harris, committee clerk	4.00
D. B. Wescott, committee clerk	4.00
George J. Hurley, sergeant-at-arms	5.00
Wm. Connor, assistant sergeant-at-arms	5.00
Herbert Shaw, bill clerk	5.00
John Shepard, postmaster	4.00
Eugene Davis, assistant postmaster	4.00
C. C. McMillan, doorkeeper	4.00
J. W. Buker, assistant doorkeeper	4.00
A. F. Haynes, janitor	4.00
R. H. Taylor, janitor	4.00
C. L. Wood, night watchman	4.00
Walter Skinner, city messenger	2.00
Webb Hurley, page	2.00
Chester K. Burrows, page	2.00
James Condra, page	2.00

We further recommend that the secretary assign committee clerks to their respective committees, and that in the event extra help is required in the enrolling room, the secretary be instructed, as far as possible, to use committee clerks under his supervision for that work.

The committee further recommends that all supplies purchased for the use of the Senate, its committees or any of its officers, be ordered only upon requisition signed by the president.

Respectfully submitted.

R. M. KINNEAR.
GEO. H. BAKER.
T. B. SUMNER.

Senator Kinnear moved the adoption of the report.

Senator O'Donnell moved that the report of the committee be indefinitely postponed.

Senators O'Donnell, Smith (Dr. J. J.), Ruth, Earles, Boone, Kinnear and Baker demanded a roll call.

The secretary called the roll and the motion that the report of the committee be indefinitely postponed was carried by the following vote:

Those voting yea were: Senators Boone, Christian, Condon, Davis, Earles, Hemrich, Hunter, Kennedy, Le Crone, O'Donnell, Pauly, Pogue, Potts, Reed, Russell, Ruth, Stewart, Tucker, Veness, Watson, Welsh, Wilson—22.

Those voting nay were: Senators Baker, Bratt, Bronson, Brown, Graves, Hammer, Henry, Hutson, Kinnear, Moore, Rands, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner—15.

Those absent or not voting were: Senators Clapp, Palmer, Rasher, Van de Vanter—4.

Senator Boone moved that a committee of three be appointed to designate 42 employes, one for each senator.

Senator Davis moved to amend by adding one secretary for the lieutenant governor and one page for the lieutenant governor.

The amendment was accepted by Senator Boone.

Senator Baker moved to further amend, that the secretary of the Senate and sergeant-at-arms be not included, or affected by this motion.

The amendment was accepted by Senator Boone.

The motion was lost.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., February 14, 1905.

To the Senate:

I am directed by the Governor to inform you that he has this day approved the following measures:

Senate bill No. 71: An act to amend section 4251 of Ballinger's Annotated Codes and Statutes of Washington (Pierce's Washington Code, section 7054) relating to the organization and management of private corporations, and declaring an emergency.

Senate bill No. 83: An act amending section 6403, Ballinger's Annotated Codes and Statutes of Washington, relating to bonds of guardians and prescribing the regulations therefor.

A. N. BROWN, Private Secretary.

Senator Stansell moved that the Senate concur in the amendments proposed by the House to Senate bill No. 24.

Senator Pogue moved, as a substitute, that the Senate do not

concur in the amendments proposed by the House to Senate bill No. 24.

The Senate concurred in the House amendments to Senate bill No. 24 by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Brown, Christian, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Pauly, Potts, Rands, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Wilson—26.

Those voting nay were: Senators Bronson, Graves, Le Crone, Moore, O'Donnell, Pogue, Ruth, Stewart, Veness, Watson, Welsh —11.

Those absent or not voting were: Senators Clapp, Palmer, Rasher, Van de Vanter—4.

INTRODUCTION OF BILLS.

Senate bill No. 180, by Committee on Game and Game Fish: An act establishing hunters' licenses, providing for the disposition of moneys collected under the provisions thereof, and fixing penalties for its violation.

The bill was read the first time, and on motion of Senator Boone the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

Senate bill No. 181, by Senator Graves: An act authorizing county commissioners to make provision for the relief and support of dependent children.

The bill was read the first time, and on motion of Senator Graves the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 182, by Joint Committee on Printing: An act creating the office of public printer; providing for the appointment thereof and qualification of said officer; providing for the public printing and binding, fixing the compensation thereof, and declaring an emergency.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Printing.

Senate bill No. 183, by Senator Hutson: An act amending an act entitled "An act to amend section 221 of an act entitled 'An act to regulate the practice and proceedings in civil actions,' approved December 1, 1881," approved March 12, 1903.

The bill was read the first time, and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 184, by Committee on Appropriations: An act making appropriations for the salaries and expenses of the state board of control and for the maintenance and sundry expenses of the various state penal, reformatory and charitable institutions for the fiscal term beginning April 1st, 1905, and ending March 31, 1907.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, ordered printed and placed on the calendar.

Senate bill No. 185, by Committee on Appropriations: An act making appropriations for certain deficiencies for the fiscal periods prior to March 31, 1905, and for other purposes.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, ordered printed and placed on the calendar.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

The House has passed House bill No. 16, relating to banking and regulating foreign banks.

Also House bill No. 182, relating to compulsory school attendance.

Also House bill No. 135, creating a fund to be known as the public highway fund for the construction and repairs of highways and bridges.

Also House bill No. 152, regulating automobiles on public roads or avenues.

Also House bill No. 227, relating to the issuing of licenses by counties, cities and towns for the sale of intoxicating liquors.

Also House bill No. 147, to provide for the assessment and collection of taxes.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

The House has passed House bill No. 49, for the regulation, maintenance and discipline of the national guard.

Also House bill No. 90, an act for the relief of John H. Willms.

Also House bill No. 225, for the relief of S. P. Carusi.

Also House bill No. 198, relating to the exercise of the power of eminent domain.

Also House bill No. 59, enlarging the public use of the water of the State so as to include the removal of timber products.

Also House bill No. 28, an act to provide for the payment of the premium on official bonds when given by surety companies.

Also House bill No. 131, an act to repeal an act to provide for annexing certain territory to a neighboring county.

Also House bill No. 203, relating to the incorporation of companies having for their object the building of toll logging roads.

Also House bill No. 120, to establish a board of commissioners for the promotion of uniformity of legislation in the United States.

Also House bill No. 231, appointing county clerks guardians of the estate of insane persons whose estate are less than two hundred dollars.

Also House substitute bill No. 136, an act to provide for sheriffs charging fees for serving warrants of arrest in criminal cases.

Also House bill No. 79, providing for the creation of the office of state veterinary surgeon.

Also House bill No. 219, an act defining forcible entry, forcible detainer and unlawful detainer of real property.

Also House bill No. 50, relating to the selling, leasing or making contracts concerning its real estate by incorporated cities or towns.

Also House bill No. 239, relating to mileage and expenses of county commissioners.

Also House bill No. 124, in relation to savings banks, savings and loan societies.

Also House bill No. 113, authorizing companies owning cemeteries to accept trust funds.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 117, entitled "An act fixing the salaries of county commissioners in counties of the first class."

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

The speaker has signed House bill No. 117, entitled "An act fixing the salaries of county commissioners in counties of the first class."

Also House bill No. 88, amending the law relating to appeals from justice courts.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senate bill No. 186, by Senator Stansell: An act submitting to the electors of the State of Washington an amendment to the constitution, repealing section 20 of article 12, and enacting a new section in lieu thereof relating to the granting of free passes to public officials.

The bill was read the first time, and on motion of Senator Stansell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 187, by Senator Kinnear: An act exempting all real estate and personal property owned by any Greek letter fraternities connected with any college or institution of learning from taxation, and repealing all laws in conflict therewith.

The bill was read the first time, and on motion of Senator Kinnear the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

Senate substitute bill No. 188, for Senate bill No. 137, by Committee on Irrigation and Arid Lands: An act providing for the irrigation, improvement and sale of lands granted to the State of Washington for any and all purposes and uses.

The bill was read the first time and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

House bill No. 113: An act authorizing associations and companies owning cemeteries to accept trust funds, the income therefrom to be used in the betterment, care and improvement of such cemeteries.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 239: An act to amend section 340 of Ballinger's Annotated Codes and Statutes of the State of Washington, same being section 4121 of Pierce's Washington Code, relating to mileage and expenses of county commissioners.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House bill No. 50: An act relating to the selling, leasing or making contracts concerning its real estate, or granting or renewing franchises or special privileges by incorporated cities or towns, and providing for submitting such question or measures to the voters of such cities or towns.

The bill was read the first time, and on motion of Senator Graves the rules were suspended, the bill was read the second time by title.

Senator Graves moved that the bill be referred to the Committee on Judiciary.

Senator Christian moved, as a substitute, that the bill be referred to the Committee on Municipal Corporations.

The substitute carried and the bill ordered referred to the Committee on Municipal Corporations.

House bill No. 124: An act in relation to savings banks, savings and loan societies, and institutions in which deposits of money are made and interest paid thereon.

The bill was read the first time, and on motion of Senator Smith (S. T.) the rules were suspended, the bill was read the second time by title, and referred to the Committee on Banks and Banking.

House bill No. 219: An act amending sections 2, 5, 7, 11 and 12 of an act entitled "An act defining forcible entry, forcible

detainer and unlawful detainer of real property, and providing remedies therefor by summary proceedings," approved March 7, 1891.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 79: An act to amend section 1 of an act entitled "An act to amend section 1 of and adding section 2½ and section 4½ to an act entitled 'An act providing for the creation of the office of state veterinary surgeon, and defining his duties,' approved March 22, 1895."

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 136: An act to provide for sheriffs charging fees for serving warrents of arrest in criminal cases and adding to the schedule of sheriffs' fees prescribed in chapter 151 of the act of 1903.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 231: An act appointing county clerks guardians of the estate of insane persons whose estates are iess than two hundred dollars, and declaring an emergency.

The bill was read the first time and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 120: An act to establish a board of commissioners for the promotion of uniformity of legislation in the United States.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 203: An act relating to the incorporation, management and powers of companies having for their object the building of toll logging roads, chutes and other ways for the transportation of logs and other timber products, and conferring

upon such companies the power of eminent domain, and declaring an emergency.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 59: An act providing for the amendment of section 1 of article XXI of the Constitution of the State of Washington, entitled "Water and Water Rights," by enlarging the public use of the waters of this State so as to include the removal of timber products.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

House bill No. 131: An act to repeal an act entitled "An act to amend section 1 (Pierce's Code, section 3921) of an act entitled 'An act to provide for annexing certain county territory to a neighboring county to which it is contiguous,' and to repeal section 10 of said act, approved March 9, 1891, approved by the Governor March 16, 1903.

The bill was read the first time, and on motion of Senator Boone the rules were suspended, the bill was read the second time by title, and referred to the Committee on Counties and County Boundaries.

House bill No. 28: An act to provide for the payment by the State or counties or cities of the premium or charge on official bonds when given by surety companies.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 198: An act providing for the amendment of section 16 of article one (1) of the Constitution of the State of Washington, relating to the exercise of the power of eminent domain.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

House bill No. 225: An act for the relief of S. P. Carusi, of Clallam county, State of Washington, and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 90: An act for the relief of John H. Willms, and authorizing the commissioner of public lands of the State of Washington to relinquish on behalf of the State of Washington for the benefit of John H. Willms the south half of the south half of section 36, township 25, north of range 22, east of the Willamette meridian.

The bill was read the first time and, on motion of Senator Pogue, the rules were suspended, and the bill read the second time by title.

On motion of Senator Pogue House bill No. 90 was substituted for Senate bill No. 57 on the calendar.

House bill No. 16: An act relating to banking, and regulating foreign banks and foreign bankers doing business within this State, and providing a penalty.

The bill was read the first time, and on motion of Senator Smith (S. T.) the rules were suspended, the bill was read the second time by title, and referred to the Committee on Banks and Banking.

House bill No. 135: An act creating a fund to be known as the public highway fund, and making provision for an annual levy to produce revenue therein for the construction and repairs of highways and bridges.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 152: An act regulating automobiles, motor vehicles, or motor cycles on public roads, highways, parks or parkways, streets or avenues, within the State of Washington.

The bill was read the first time, and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 182: An act relating to the compulsory attend-

ance of children between the ages of eight and fifteen years in the public schools of the State of Washington, and repealing all laws and parts of laws in conflict therewith.

The bill was read the first time, and on motion of Senator Le Crone the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

House bill No. 227: An act relating to the issuing of licenses by counties, cities and towns for the sale or disposal of spirituous, fermented, malt or other intoxicating liquors, and providing for the payment to the State of its proportionate share of the license fee.

The bill was read the first time, and on motion of Senator Sumner the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Revenue and Taxation.

House bill No. 147: An act to amend section 64 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897.

The bill was read the first time, and on motion of Senator Sumner the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Revenue and Taxation.

House bill No. 49: An act to amend section 5 of an act entitled "An act to provide for the enrollment of the militia," etc., approved March 16, 1903.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title, and referred to the Committee on Military.

At 3:50 o'clock p. m., on motion of Senator Tucker, the Senate adjourned until 2 o'clock p. m. Thursday, February 16, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTY-NINTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 16, 1905.
2 o'clock p. m.

The Senate was called to order at 2 o'clock p. m. by President Coon, pursuant to adjournment.

The seceratry called the roll, all members being present except Senators Clapp, excused, Rasher, excused, Van de Vanter, excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

Senator Ruth moved that the vote by which Senate bill No. 126 passed the Senate be reconsidered.

The motion was carried, and the bill ordered placed on the calendar.

Senate bill No. 24 was signed by the president.

The following petition was read by the secretary and on motion of Senator Brown referred to the Committee on Horticulture and Forestry:

SPOKANE COUNTY HORTICULTURAL SOCIETY,
January 14, 1905.

To the Honorable Members of the Legislature, State of Washington:

WHEREAS, The spread of injurious insects and destructive fungus disease threatens the destruction of the great and growing fruit industries of the State, and

WHEREAS, The Washington State Horticultural Association has recommended and petitioned your honorable body to amend the present horticultural law for the better protection of said industry; therefore be it

Resolved, That we, the members of the Spokane County Horticultural Society, further petition your honorable body to pass said amendments recommended by the State Horticultural Society.

Resolved, That the secretary be instructed to forward a copy of these

resolutions to the Legislature of the State of Washington, and a copy be forwarded to each member of the Spokane delegation.

R. A. JONES, President.

Attest: (Signed)—L. G. MUNROE, Secretary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 24, entitled "An act providing for the appointment and election of a judge of the superior court of the State of Washington in and for the county of Stevens, and providing for the election of three judges of the said superior court in and for the county of Spokane; and specifying the county of said State over which the present judge of said superior court in and for the counties of Stevens and Spokane, jointly, shall preside; and fixing the term of office of the judge appointed; and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, Wm. Hickman Moore, O. A. Tucker.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 119, entitled "An act to promote the agricultural interests of the State of Washington; providing for county inspection of apiaries, defining their duties, and providing for their compensation," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: R. W. Condon, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 54, entitled "An act to appropriate funds for the payment of mileage of the presidential electors of the State of Washington," etc.,

have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: R. W. Condon, Charles T. Hutson.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 21, entitled "An act relating to the superior court of Snohomish and Kitsap counties, providing for the election of judges therein and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: S. S. Russell, John T. Welsh, Charles T. Hutson, Walter Christian, E. B. Palmer, O. A. Tucker, T. A. Hunter, R. M. Kinnear.

On motion of Senator Rands it was ordered that the bill be given as early a place on the calendar as possible.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No 176, entitled "An act to amend section 5 of an act entitled 'An act to provide for the incorporation of associations for social, charitable and educational purposes,' approved March 21, 1895, the same being section 7181 of Pierce's Washington Code," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. M. LE CRONE, Chairman.

We concur in this report: Geo. A. Kennedy, C. L. Stewart, J. R. O'Donnell, A. S. Ruth, Walker A. Henry, Jno. Earles.

SENATE CHAMBER,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred House bill No. 16, entitled "An act relating to banking, and regulating foreign banks and foreign bankers doing business within this State,

and providing a penalty," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. T. SMITH, Chairman.

We concur in this report: Geo. A. Kennedy, R. W. Condon, J. A. Veness, Geo. H. Baker.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 92, entitled "An act to amend sections 23, 137, 145, and 175 of an act entitled 'An act to establish a general uniform system of public schools in the State of Washington, and repealing chapter VI of title III, chapter VII of title V, all of title X except chapter XVII, chapter IV of title L, all being of volume 1 of Hill's Annotated Statutes and Codes of Washington,' etc., "said act of which this act is amendatory, being known and cited as the Code of Public Instruction of the State of Washington, and being chapter CXVIII of the Session Laws of 1897, approved March 19th, 1897," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In line 4 of the title of the engrossed bill, after the first word "chapter," strike out the letters "DII" and insert the letters "VII" in lieu thereof. After the words "all of," in the same line, strike out the word "the."

In line 8 of the title of the engrossed bill correct the spelling of the word "boundaries."

In line 7 of section 1 of the engrossed bill, after the words "holder of," strike out the words "a life diploma," and insert in lieu thereof the words "not less than a first-grade certificate."

S. M. LE CRONE, Chairman.

We concur in this report: Geo. A. Kennedy, C. L. Stewart, J. R. O'Donnell, A. S. Ruth, Walker A. Henry, Jno. Earles.

On motion of Senator Le Crone the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred House bill No. 54, entitled "An act to amend sections 5 and 6 of an act to provide against an adulteration of food and fraud in the sale thereof," etc., have had the same under consideration, and we

respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage, to whom was referred Senate bill No. 163, entitled "An act to provide for the payment of expenses incurred in compliance with an act entitled 'An act to provide for the construction and maintenance of dikes and dams in certain cases,' approved February 2, 1888, or of any acts amendatory thereof, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. HAMMER, Chairman.

We concur in this report: S. M. Le Crone, A. S. Ruth.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred House bill No. 164, entitled "An act to amend section 4 of an act approved March 18, 1895, entitled 'An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this State, and for the purpose of driving, sorting, holding, and delivering logs and other timber products thereon, and fixing maximum tolls therefor,' as amended by chapter XXXI of the Laws of 1897, approved March 4th, 1897, entitled 'An act to amend section 4 of an act approved March 18, 1895, entitled "An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this State, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls thereon," " have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. HEMRICH, Chairman.

We concur in this report: S. T. Smith, W. E. Bronson, R. W. Condon, G. B. Wilson.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred Senate bill No. 171, entitled "An act to prohibit boycotting, unfair lists, picket-

ing or other interference with the lawful business or occupation of others, and to provide a penalty therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. HEMRICH, Chairman.

We concur in this report: S. T. Smith, W. E. Bronson, R. W. Condon, G. B. Wilson.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred Senate bill No. 93, entitled "An act requiring railroad companies to weigh cars loaded with lumber," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Strike out section 6 and in lieu thereof insert the following:

"Section 6. Nothing contained in this bill shall interfere with the right of the shipper and carrier to enter into a private contract regarding weights when it is impracticable to weigh."

A. HEMRICH, Chairman.

We concur in this report: S. T. Smith, W. E. Bronson, R. W. Condon, G. B. Wilson.

On motion of Senator Hemrich the report of the committee was adopted.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., February 15, 1905.

MR. PRESIDENT:

We, your special committee appointed to attend the funeral of the late Senator J. P. Sharp, beg leave to report as follows:

That pursuant to resolution we proceeded to the home of said deceased in Ellensburg, Washington; attended the services at the family residence; and afterwards accompanied the mortal remains of our highly esteemed late associate to their last resting place.

Respectfully submitted.

GEO. H. BAKER, Chairman.

We concur in the report: Wm. Hickman Moore, E. M. Rands, Walter J. Reed, Walter Christian.

INTRODUCTION OF BILLS.

Senate bill No. 189, by Senators Welsh and Russell: An act to amend section 3 of an act entitled "An act creating a state library commission, prescribing its duties," etc.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 190, by Senator Hammer: An act for the relief of James O'Loughlin for the sale of state school lands in Skagit county, Washington, during the year 1891.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 191, by Senator Brown: An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, and as amended by chapter CXLI, Session Laws of 1899, and amending the fourth subdivision of section 2, as thus amended by the Laws of 1899, and declaring an emergency.

The bill was read the first time, and on motion of Senator Brown the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 192, by Senator Potts: An act for the protection of game animals, game birds, game fish, and creating the office of state game warden for the State of Washington, defining his powers and duties, etc.

The bill was read the first time, and on motion of Senator Potts the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Game and Game Fish.

House bill No. 110: An act to amend section 1 of chapter 47 of the Laws of 1903, providing for a closed season for trout fishing in the lakes and streams of Chelan county, and declaring an emergency.

The bill was read the first time, and on motion of Senator Potts the rules were suspended, the bill was read the second time by title, and referred to the Committee on Game and Game Fish.

House bill No. 176: An act to regulate the width of tires of wagons to be used on the public highways of the State of Washington.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 82: An act to change the name of the Washington agricultural experiment station and school of science to the "State College of Washington."

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Educational Institutions.

House bill No. 223: An act for the relief of L. O. Meigs of Yakima county, State of Washington, and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

House substitute bill No. 197: An act prescribing a form of answer in garnishment proceedings in justice courts, prescribing the duties of the officer serving the garnishee summons with reference to said answer and authorizing said officer to take the verification of the garnishee to said answer.

The bill was read the first time, and on motion of Senator Graves the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

House bill No. 158: An act to amend section 6 of "An act to provide for the assessment and collection of taxes in municipal corporations of the third and fourth class in the State of Washington, and declaring an emergency," approved March 9, 1893.

The bill was read the first time, and on motion of Senator

Sumner the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenues and Taxation.

House bill No. 146: An act to amend section 5 of an act entitled "An act to amend sections 4, 5, 9 and 10 of an act entitled 'An act providing for the assessment and collection of taxes of cities of the first class and specifying the duties of certain county officers in regard thereto, and declaring an emergency,' approved March 9, 1893," approved March 21, 1895.

The bill was read the first time, and on motion of Senator Sumner the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

House bill No. 185: An act providing for the rate of interest to be paid on certain bonds of Island county, and owned by the State of Washington.

The bill was read the first time, and on motion of Senator Sumner the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

GENERAL FILE.

House bill No. 19: An act authorizing the assessment of lands held or owned by any county in the State, within the limits of incorporated cities or towns in such county, for local improvements, and providing for the payment of such assessments, was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, LeCrone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Welsh, Wilson--34.

Senator Watson voted nay.

Those absent or not voting were: Senators Clapp, Palmer, Rosher, Stansell, Van de Vanter, Veness--6.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 106: An act relating to the punishment of the crime of seduction, and amending section 7066 of Ballinger's Codes and Statutes of Washington, was placed on third reading.

On motion of Senator Moore the title of the act was amended by inserting after the word "Ballinger's" in line 1 of the printed bill, the word "Annotated."

On motion of Senator Moore the bill was amended by inserting after the word "Ballinger's" in line 1 of section 1 of the printed bill, the word "Annotated."

The bill, as amended, was placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Brown, Condon, Hammer, Hemrich, Henry, Hunter, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Tucker, Veness, Watson, Wilson—23.

Those voting nay were: Senators Baker, Bratt, Bronson, Christian, Davis, Earles, Graves, Hutson, Kennedy, Kinnear, Rands, Stewart, Sumner, Welsh—14.

Those absent or not voting were: Senators Clapp, Rasher, Stansell, Van de Vanter—4.

There being no objection the title of the bill was ordered to stand as the title of the act.

The president signed House bill No. 30.

House bill No. 150: An act relating to maintenance, repair and renewal of sidewalks in cities of the first, second, third and fourth class, and other cities and towns of equal population working under special charters; and providing for the payment thereof by the owners of abutting property, and declaring an emergency, was placed on its third reading.

On motion of Senator Graves the words "said street or" in line 12 of section 1 of the printed bill, were stricken out.

Senator Tucker moved to strike out the word "clean" in line 12 of section 1 of the printed bill.

The motion was lost.

Senator Palmer moved to strike out sections 2 and 3 of the printed bill.

The motion was lost.

The bill as amended was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Davis, Earles, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Rands, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Watson, Welsh, Wilson—29.

Those voting nay were: Senators Kinnear, Potts, Ruth, Tucker, Veness—5.

Those absent or not voting were: Senators Clapp, Condon, Hemrich, Moore, Rasher, Stansell, Van de Vanter—7.

The emergency clause failed to pass by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Davis, Earles, Henry, Hunter, O'Donnell, Reed, Ruth, Stewart—13.

Those voting nay were: Senators Baker, Condon, Graves, Hammer, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Russell, Smith (Dr. J. J.), Smith (S. T.), Sumner, Tucker, Veness, Welsh, Wilson—22.

Those absent or not voting were: Senators Clapp, Hemrich, Rasher, Stansell, Van de Vanter, Watson—6.

On motion of Senator Baker the words "and declaring an emergency" were stricken from the title of the act.

House bill No. 102: An act to enable cities of the first, second and third classes and other cities and towns, working under special charters, having sufficient population to authorize them to incorporate under the laws of the State of Washington as cities of the first, second or third class, to exercise the right of eminent domain, etc., and declaring an emergency, was placed on its third reading.

On motion of Senator Moore the bill was amended by striking the letter "s" from the word "hearings" in line 1 of section 25 of the printed bill, and by striking out the word "been" in line 2 of section 25 of the printed bill.

On motion of Senator Moore the bill was amended by striking out the words "shall have" in line 5 of section 25 of the printed

bill, and also by striking out the words "of notices" in line 9 of section 25 of the printed bill.

On motion of Senator Moore the bill was amended by striking out the letters "es" from the word "summonses" in line 10 of section 25 of the printed bill.

On motion of Senator Palmer the bill was amended by striking out the words "putting up" in lines 1 and 2 of section 26 of the printed bill and the word "posting" inserted in lieu thereof.

On motion of Senator Moore the bill was amended by inserting a comma after the word "hearing" in line 1 of section 28 of the printed bill.

On motion of Senator Palmer the bill was amended by striking out the word "thirty" in line 13 of section 32 of the printed bill and inserting in lieu thereof the word "sixty."

On motion of Senator Moore further consideration of House bill No. 102 was postponed until tomorrow.

Senate bill No. 154: An act to prohibit the advertising of treatment or cure of diseases and disorders of the sexual organs, declaring the same a misdemeanor and prescribing a penalty therefor, was placed on its third reading.

On motion of Senator Wilson the bill was amended by inserting in line 4, section 1 of the printed bill, the word "month" after the word "one," and also by inserting the word "month" after the word "one" in line 7 of section 1 of the printed bill.

Senate bill No. 154 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Rands, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—34.

Those absent or not voting were: Senators Clapp, Earles, Potts, Rasher, Ruth, Sumner, Van de Vanter—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

The speaker has signed House bill No. 30, entitled "An act in relation to estrays."

Also Senate bill No. 24, providing for the appointment of a judge of the superior court for Stevens county.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

The House has passed House bill No. 110, providing for a closed season for trout fishing in the lakes and streams of Chelan county.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 86, relating to the employment of special attorneys and counsel by county commissioners.

Also Senate bill No. 84, providing for suspension and withholding of sentence of persons under the age of twenty-one years.

Also Senate bill No. 19, an act providing for the selection of jurors, with the following amendments:

Amend title by inserting after the word "Section," in line 1, the words and figures "3 and Section."

Amend by inserting immediately following the enacting clause a new section, as follows:

"Section 1. That section 3 of an act entitled 'An act providing for and regulating the selection of jurors in the superior courts of the State: and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict therewith,' approved March 16, 1901, being section 5945 of Pierce's Washington Code, be and the same is hereby amended to read as follows: 'Section 3. In open court within twenty days in counties of the first class, and within ten days in counties of the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth

and fifteenth classes, the commissioners shall select the names of all the qualified jurors in the county as far as the commissioners may be able to ascertain the same from the latest tax rolls and poll books of the county and deposit the same written on separate slips of paper of uniform size, shape and color in a box to be furnished by the clerk of the court for that purpose. In selecting and depositing such names the said commissioners shall in all things observe their oath and they shall not select the names of any person who is to them known to be interested in any cause pending in the court by which such commissioners were appointed. When such names have been selected and deposited in such box the jury commissioners shall deliver the box, locked, and the key thereof, to the clerk of the court by which the commissioners were appointed; and such clerk shall at all times keep such locked box and said key separately in some safe and convenient place in his office. A list of the names so chosen shall be spread at large upon the journal of the court and all names subsequently drawn from the box shall at the time of the drawing be compared and checked in open court with the list as so recorded."

Make section 1 read section 2.

Also Senate bill No. 36, authorizing and empowering any corporation to acquire stock of another corporation, with the following amendment:

In line 1 of section 1, immediately following the words "corporation," insert the words "heretofore and hereafter."

Also Senate bill No. 50, defining certain misdemeanors and providing the punishment, with the following amendments:

Amend title to read as follows: "An act making it a misdemeanor for any man to wilfully abandon, desert, abuse or fail to support his wife, or infant child or children under the age of seventeen years, and prescribing the punishment therefor."

Strike out everything after the enacting clause and insert the following in lieu thereof:

"Section 1. That any man who without sufficient cause wilfully abandons, deserts, abuses or fails to support and maintain his wife, or infant child or children under the age of seventeen years, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not to exceed five hundred dollars or imprisoned in the county jail for a period not to exceed six months, or by both such fine and imprisonment."

Also Senate bill No. 31, providing for the introduction of testimony given in a former trial, with the following amendments:

In line 3 of section 1 of the engrossed bill, being line 2 of section 1 of the printed bill, immediately following the word "proceeding," insert the words "or in a former trial of the same cause or proceeding."

In line 2 of section 1 of engrossed bill, being line 2 of section 1 of printed bill, immediately before the word "cause," insert the word "sufficient."

In lines 4 and 5 of section 1 of the engrossed bill, strike out the words "after notice to the opposite party."

In line 5 of the engrossed bill, immediately after the comma following the word "judge," insert the following: "upon three days' notice to the opposite party or parties, together with service of a copy of the testimony proposed to be used."

Also House bill No. 185, providing for the rate of interest to be paid on certain bonds of Island county.

Also House bill No. 146, providing for the assessment and collection of taxes of cities of the first class.

Also House bill No. 158, to provide for the assessment and collection of taxes in municipal corporations of the third and fourth class.

Also House substitute bill No. 197, in relation to garnishment in justices' courts.

Also House bill No. 223, an act for the relief of L. O. Meigs.

Also House bill No. 82, an act to change the name of the Washington agricultural experiment station and school of science to the "State College of Washington."

Also House bill No. 176, an act to regulate the widths of tires of waogns.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senate bill No. 74: An act to repeal an act entitled "An act to amend section 1 (Pierce's Code, Sec. 3921) of an act entitled 'An act to provide for annexing certain county territory to a neighboring county to which it is contiguous,' and to repeal section 10 of said act, approved March 9, 1891," approved by the Governor March 16, 1903, was placed on its third reading.

On motion of Senator Graves, the bill was amended by making line 5 of section 1 "section 2."

On motion of Senator Baker House bill No. 131 was substituted for Senate bill No. 74.

House bill No. 131: An act to repeal an act entitled "An act to amend section 1 (Pierce's Code, Sec. 3921) of an act entitled, etc.; was given its third reading.

Senator Christian moved to amend the bill by adding to section 1, after the word "repealed" in line 4, the following: "provided, that this act shall not affect proceedings heretofore instituted under the act hereby repealed."

The motion was lost.

On motion of Senator Boone, the bill was amended by making line 5 of section 1 of the printed bill "section 2."

The bill, as amended, was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—35.

Senator Bratt voted nay.

Those absent or not voting were: Senators Clapp, Earles, O'Donnell, Rasher, Van de Vanter—5.

The emergency clause passed by the following vote:

Those voting yea were: Senators, Baker, Boone, Brown, Christian, Condon, Davis, Hammer, Hemrich, Henry, Hunter, Hutson, Kinnear, Moore, O'Donnell, Palmer, Pauly, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—30.

Those voting nay were: Senators Bratt, Graves, Le Crone, Russell—4.

Those absent or not voting were: Senators Bronson, Clapp, Earles, Kennedy, Pogue, Rasher, Van de Vanter—7.

On motion of Senator Palmer the words "and declaring an emergency" were added to the title of the bill.

On motion of Senator Davis, the following resolution was adopted:

WHEREAS, Hon. A. T. Van de Vanter, a member of the Senate from King county, is seriously ill at his home and in all probability will not be able to attend any further sessions of this body:

Resolved, That the president of the Senate is hereby requested to appoint a member to fill the vacancy caused by Senator Van de Vanter's absence, on the Committee on Railroads and Transportation.

The president announced the appointment of Senator Kinnear as a member of the Committee on Railroads and Transportation in accordance with the above resolution.

At 4:40 p. m., on motion of Senator Palmer, the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FORTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 17, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Cook, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senators Clapp, excused; Rasher, excused; Van de Vanter, excused.

On motion of Senator Palmer, it was ordered that House bill No. 102 go over until tomorrow's session, being placed at the head of the calendar for that day.

The following communications were read by the secretary:

ELLENSBURG, WASH., February 15, 1905.

Mr. Chas. E. Coon, Lieutenant Governor and President of the Senate, Olympia, Washington:

My Dear Sir—On behalf of my mother and family I wish to thank you for the kind sympathy extended by you in our sad bereavement, and for the respect and honor done my father by the Legislature of the State of Washington.

Very sincerely yours,

LOUIS L. SHARP.

COMMUNICATION FROM MORAN BROS. COMPANY.

SEATTLE, WASH., February 1, 1905.

Mr. J. W. Lysons, Senate Chamber, Olympia, Washington.

DEAR SIR—I am in receipt of yours of the 30th ult., also the enrolled copy of the concurrent resolution adopted by the Legislature on the return of the members from their recent visit to Seattle for the purpose of inspecting the "Minnesota" and the battleship "Nebraska," and I would be pleased to have you express to the Senate the high apprecia-

tion of my company and myself of the sentiment expressed in this document. Respectfully,

MORAN BROS. COMPANY.
By ROBERT MORAN.

COMMUNICATION FROM R. A. BALLINGER.

SEATTLE, WASH., February 1, 1905.

Mr. J. W. Lysons, Senate Chamber, Olympia, Wash.

MY DEAR SIR—I am in receipt of your favor of the 30th ult. regarding enrolled copy of resolution adopted by the Legislature, and have also received the resolution, for which accept my thanks.

I remain, yours very truly,

R. A. BALLINGER.

COMMUNICATION FROM GREAT NORTHERN STEAMSHIP CO.

SEATTLE, WASH., February 3, 1905.

Mr. J. W. Lysons, Secretary State Senate, Olympia, Washington.

DEAR SIR—We beg to acknowledge receipt of your letter of the thirtieth ultimo, enclosing enrolled copy of resolution adopted by the State Legislature, in relation to the visit of the members to this city on the fourteenth of January, for which we thank you.

Yours truly,

J. D. FARRELL.

COMMUNICATION FROM SEATTLE CHAMBER OF COMMERCE.

SEATTLE, WASH., February 6, 1905.

Mr. J. W. Lysons, Secretary State Senate, Olympia, Wash.

DEAR SIR—We have received the enrolled copy of the concurrent resolution, passed by the Washington State Legislature, in reference to the visit of the State officers and members of the Legislature to Seattle, which was read at the last meeting of the Chamber, and made a part of the permanent records.

On behalf of Seattle Chamber of Commerce I wish to thank you for the kind expressions contained in the resolution.

Yours very truly,

JAMES B. MEIKLE, Secretary.

COMMUNICATION OF SAMUEL H. PILES.

SEATTLE, WASH., February 3, 1905.

Mr. J. W. Lysons, Secretary of the Senate, Olympia, Wash.

MY DEAR SIR—I have the honor to acknowledge the receipt of your communication, together with copy of joint resolution No. 1. I would be glad to have you express my thanks to the president of the Senate

for his thoughtfulness in having the resolution transmitted to me, although I am not yet in office.

Yours very truly,

S. H. PILES.

COMMUNICATION FROM LEVI ANKENY.

SENATE OF THE UNITED STATES,
WASHINGTON, D. C., January 27, 1905.

Mr. J. W. Lysons, Secretary of the Senate, Olympia, Wash.

MY DEAR MR. SECRETARY—I beg to acknowledge receipt of your letter of the 21st inst., inclosing copy of Senate joint resolution No. 1, passed by the Washington State Legislature at the present session, which was forwarded to me by you under instructions of the Legislature.

Very truly yours,

LEVI ANKENY.

COMMUNICATION FROM A. G. FOSTER.

OLYMPIA, WASH., January 23, 1905.

Mr. J. W. Lysons, Secretary Senate, City.

MY DEAR LYSONS—Herewith I acknowledge receipt of your favor of January 21st, attaching Senate joint resolution No. 1, in re the powers of Interstate Commerce Commission, etc. I shall immediately place the resolution before the United States Senate in the form of a petition.

Yours very truly,

A. G. FOSTER.

COMMUNICATION FROM WESLEY L. JONES.

WASHINGTON, D. C., January 22, 1905.

Mr. J. W. Lysons, Secretary State Senate, Olympia, Washington.

MY DEAR SIR—Your favor of the 21st inst., handing me copy of Senate joint resolution No. 1, relating to the president's position with reference to the powers of the Interstate Commerce Commission, at hand, and I desire to assure the Senate and House that I am in hearty sympathy with this proposition and with the president.

Very respectfully yours,

W. L. JONES.

COMMUNICATION FROM NORTHERN PACIFIC RY. CO.

ST. PAUL, MINN., February 13, 1905.

Mr. J. W. Lysons, Secretary State Senate, Olympia, Washington.

DEAR SIR—I have your letter of February 8th, enclosing copy of concurrent resolution relating to 40-cent lumber rate to Missouri river common points.

Yours very truly,

HOWARD ELLIOTT.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 86, entitled "An act relating to the employment of special attorneys and counsel by county commissioners," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, Wm. Hickman Moore, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 84, entitled "An act providing for the suspension and withholding of sentence of persons under the age of twenty-one years who have been convicted of a misdemeanor or felony in the superior court of the State of Washington," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, Wm. Hickman Moore, O. A. Tucker.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 93, entitled "An act requiring railroad companies to weigh cars loaded with lumber," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

CHARLES T. HUTSON,
R. W. CONDON,
S. S. RUSSELL.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 176, entitled "An act to amend section 5 of an act entitled

'An act to provide for the incorporation of associations for social, charitable and educational purposes,'" etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

CHARLES T. HUTSON,
S. S. RUSSELL.
R. W. CONDON,

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 154, entitled "An act to prohibit the advertisement of treatment or cure of diseases of the sexual organs," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

CHARLES T. HUTSON,
R. W. CONDON,
S. S. RUSSELL.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 16, 1905.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 177, entitled "An act to create the county of Benton, subject to the requirements of the State constitution and statutes in respect to the establishment of new counties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 11, section 2 of the printed bill, strike the figures $300 and insert in lieu thereof the figures $1000.

WALTER J. REED, Chairman.

We concur in this report: Charles T. Hutson, H. M. Boone, Fred M. Pauly, Geo. H. Baker.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred House bill No. 110, entitled "An act to amend section 1 of chapter 47

of the Laws of 1903, providing for a closed season for trout fishing in the lakes of Chelan county, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the title of the engrossed bill by striking out the words "and declaring an emergency."

Strike out section 2 of the engrossed bill.

E. B. PALMER, Chairman.

We concur in this report: C. L. Stewart, H. M. Boone, M. E. Stansell, W. G. Potts, E. M. Rands.

On motion of Senator Palmer the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate bill No. 180, entitled "An act establishing hunters' licenses, providing for the disposition of moneys collected under the provisions thereof, and fixing penalties for its violation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER, Chairman.

We concur in this report: C. L. Stewart, H. M. Boone, M. E. Stansell, E. M. Rands, W. G. Potts.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 155, entitled "An act relating to the taxation of inheritances and providing for disposition of same, repealing an act entitled 'An act relating to the taxation of inheritances and providing for disposition of the same,' approved March 6, 1901, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Public Revenue and Taxation.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Walter Christian, Will G. Graves, S. S. Russell, E. B. Palmer, John T. Welsh, Charles T. Hutson, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 165, entitled "An act to validate assessments made, or which may be made, to pay for local improvements, by any incorporated city in this State, and to prohibit the setting of such assessments aside or declaring the same invalid upon any ground other than upon the ground of fraud," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In line 17, section 1 of the printed bill, after the word "unless" insert the word "it."

E. M. RANDS, Chairman.

We concur in this report: Will G. Graves, Walter Christian, John T. Welsh, E. B. Palmer, Charles T. Hutson, S. S. Russell, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred Senate bill No. 167, entitled "An act regulating the production, keeping, transportation, sale, exchange, receipt and disposal of milk and cream for food purposes, providing penalties, making an appropriation for the fiscal year beginning April 1, 1905, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

J. I. POGUE,
G. B. WILSON,
J. J. SMITH.

On motion of Senator Wilson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 71, entitled "An act to amend sections 1362 and 1394 of Ballinger's Codes and Statutes of the State of Washington, relating to elections," have had the same under consideration, and we

respectfully report the same back to the Senate with the recommendation that it do pass.

WALTER A. HENRY, Chairman.

We concur in this report: J. R. O'Donnell, A. S. Ruth, Jno. Earles, E. B. Palmer, Geo. H. Baker.

Senate bills Nos. 84 and 86 were signed by the president.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., February 16, 1905.

To the Senate:

I am directed by the Governor to inform you that he has today approved the following measure:

Senate bill No. 24: An act providing for the appointment and election of a judge of the Superior Court of the State of Washington in and for the county of Stevens, and providing for the election of three judges of the said superior court in and for the county of Spokane, and specifying the county of said State over which the present judge of said superior court in and for the counties of Spokane and Stevens, jointly, shall preside; and fixing the term of office of the judge appointed, and declaring an emergency.

A. N. BROWN, Secretary to the Governor.

On motion of Senator Hutson the Senate concurred in the House amendments to Senate bill No. 19, by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—34.

Those absent or not voting were: Senators Bratt, Clapp, Kinnear, Rasher, Ruth, Sumner, Van de Vanter—7.

Senator Tucker moved that the Senate do not concur in the House amendments to Senate bill No. 50, and that the House be requested to recede from its amendments.

The motion was carried.

Senator Christian moved that the Senate concur in the House amendments to Senate bill No. 36, and the motion was carried by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown,

Christian, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Smith (S. T.), Stansell, Stewart, Sumner, Watson, Welsh, Wilson—31.

Those voting nay were: Senators Bratt and Veness—2.

Those absent or not voting were: Senators Boone, Clapp, Moore, Rasher, Ruth, Smith (Dr. J. J.), Tucker, Van de Vanter—8.

On motion of Senator Rands the Senate concurred in the House amendments to Senate bill No. 31 by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Potts, Rands, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Clapp, Earles, Kinnear, Palmer, Pogue, Rasher, Ruth, Sumner, Van de Vanter—9.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 60, entitled "An act donating to the city of Seattle all the shore lands and water of Green Lake in the city of Seattle, King county, State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

W. G. POTTS, Chairman.

We concur in this report: J. R. O'Donnell, John T. Welsh, A. L. Watson, O. A. Tucker, J. A. Veness.

On motion of Senator Potts the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 172, entitled "An act directing the

sale of the following described land, to-wit: Beginning at the north bank of the Columbia river at a point 10 rods east of the section line between sections 17 and 18, township 9, north, range 9 west of W. M.; thence north 6 rods; thence west 2 roads; thence north 14 rods; thence west 18 rods; thence south 20 rods to the bank of the Columbia river; thence east along the meanders of said river to the place of beginning; being 2.50 acres in sections 17 and 18, township 9 north, range 9 west of W. M.," and making an appropriation therefor, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. G. POTTS, Chairman.

We concur in this report: J. R. O'Donnell, John T. Welsh, A. L. Watson, O. A. Tucker, J. A. Veness.

INTRODUCTION OF BILLS.

Senate bill No. 193, by Senator Watson: An act to regulate the catching or taking of and licensing the catching of smelt fish in the Columbia river and its tributaries, etc.

The bill was read the first time, and on motion of Senator Watson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

GENERAL FILE.

On motion of Senator Hammer the Senate resolved itself into a committee of the whole to consider Senate bill No. 184.

The bill was considered in the committee of the whole, Senator Hammer in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendment: In line 40 in section 1 of the printed bill, after the word "buildings," insert the words "and guard house."

On motion of Senator Hammer the report of the committee of the whole was adopted.

On motion of Senator Hammer the rules were suspended, and the reading had in the committee of the whole considered the third reading of the bill.

Senate bill No. 184 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Davis, Graves, Hammer, Henrich, Henry.

Hunter, Hutson, Kinnear, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stewart, Summner, Tucker, Veness, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Clapp, Condon, Earles, Kennedy, Moore, Palmer, Rasher, Ruth, Stansell, Van de Vanter—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 67: An act to enable coroners of counties having a population of fifty thousand or more inhabitants to appoint a deputy coroner for such counties, and prescribe his duties; was read the third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Davis, Graves, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Veness, Watson, Welsh, Wilson—30.

Those absent or not voting were: Senators Clapp, Condon, Earles, Hammer, Moore, Palmer, Rasher, Ruth, Stansell, Tucker, Van de Vanter—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 41: An act to prevent the extension of special privileges to officers or employes by quasi public agencies; was read third time and placed on final passage.

The secretary called the roll.

Senators Palmer, Graves and Moore demanded a call of the Senate.

The president ruled that a call of the Senate was out of order during the roll call on the final passage of a bill.

Senator Palmer appealed from the ruling of the president.

The ruling of the president was sustained.

The president announced that Senate bill No. 41 failed to pass.

The vote on Senate bill No. 41 was as follows:

Those voting yea were: Senators Boone, Bratt, Christian, Graves, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell,

Palmer, Pauly, Pogue, Rands, Russell, Tucker, Welsh, Wilson—18.

Those voting nay were: Senators Baker, Bronson, Brown, Davis, Earles, Hemrich, Potts, Reed, Smith (S. T.), Stewart, Sumner, Veness, Watson—13.

Those absent or not voting were: Senators Clapp, Condon, Hammer, Hunter, Kinnear, Rasher, Ruth, Smith (Dr. J. J.), Stansell, Van de Vanter—10.

Engrossed copy, Senate bill No. 54: An act to appropriate funds for the payment of mileage and per diem of the presidential electors of the State of Washington; was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Smith (S. T.), Watson, Welsh—27.

Those absent or not voting were: Senators Clapp, Earles, Hammer, Kinnear, Rasher, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Wilson—14.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 119: An act to promote the apicultural interests of the State of Washington, providing for county inspectors of apiaries, defining their duties, and providing for their compensation; was given its third reading and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Christian, Condon, Davis, Graves, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Smith (S. T.), Stewart, Veness, Watson, Welsh—26.

Those absent or not voting were: Senators Baker, Bronson, Clapp, Earles, Hammer, Hemrich, Kinnear, Rasher, Ruth, Smith (Dr. J. J.), Stansell, Sumner, Tucker, Van de Vanter, Wilson—15.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 100 was placed on its third reading, and on

motion of Senator Hutson was placed on the calendar for this afternoon.

House bill No. 44: An act providing for the incorporation and regulation of live stock insurance companies and associations; was placed on its third reading.

On motion of Senator Palmer the bill was amended by striking out the figure "2" in line 6 of section 8 of the printed bill, and inserting the figure "5" in lieu thereof.

On motion of Senator Palmer the bill was amended by inserting the words "as issued by the state insurance commission" after the figures "1900" in line 3 of section 9 of the printed bill.

On motion of Senator Palmer the bill was amended by striking out section 12 of the printed bill, and by making "section 13" of the printed bill "Section 12," and by making "section 14" of the printed bill "section 13."

On motion of Senator Christian the bill was amended by adding the words "and declaring an emergency" to the title of the printed bill.

The bill, as amended, was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Wilson—30.

Senator Graves voted nay.

Those absent or not voting were: Senators Clapp, Hemrich, Moore, O'Donnell, Rasher, Sumner, Van de Vanter, Veness, Watson, Welsh—10.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smih (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Wilson—30.

Those absent or not voting were: Senators Clapp, Graves, Hemrich, Kinnear, O'Donnell, Rasher, Sumner, Van de Vanter, Veness, Watson, Welsh—11.

There being no objection the title of the bill, as amended, was ordered to stand as the title of the act.

At 11:45 a. m., on motion of Senator Palmer, a recess was taken until 2 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senators Clapp, excused; Rasher, excused; Van de Vanter, excused.

On motion of Senator Baker the following resolution was adopted:

Resolved, That as the illness of certain senators and their probable absence during the remainder of this session has made it necessary to supply their places in committee work, the president is authorized and requested to make temporary assignments of senators to committee places whenever in his judgment it becomes necessary to facilitate the business of the Senate.

On motion of Senator Rands the Senate resolved itself into a committee of the whole to consider House bill No. 214, House bill No. 57, and Senate bill No. 185.

The bills were considered in the committee of the whole, Senator Sumner in the chair.

The committee reported back House bill No. 214 with the recommendation that it do pass.

On motion of Senator Sumner the report of the committee of the whole on House bill No. 214 was adopted.

The committee of the whole reported back Senate bill No. 185 with the recommendation that it do pass.

On motion of Senator Sumner the report of the committee on Senate bill No. 185 was adopted.

The committee of the whole reported back House bill No. 57 with the recommendation that it do pass with the following amendment: Between the words "by" and "the" of the enacting clause, insert the words "the Legislature of."

On motion of Senator Sumner the report of the committee of the whole on House bill No. 57 was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 86, entitled "An act relating to the employment of special attorneys by county commissioners.

Also Senate bill No. 84, providing for the suspension of sentence of certain persons under the age of 21.

The House has passed House memorial No. 1 urging that Quinault Indian reservation lands be not included in the Olympic forest reserve.

Also House bill No. 72, providing for the registration of voters.

Also House bill No. 55, creating a state fish hatchery on the Little Spokane river.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Sumner, the reading had in the committee of the whole, of House bill No. 57, was considered its third reading, the bill was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Reed, Ruth, Smith (S. T.), Stewart, Sumner, Tucker, Veness, Welsh, Wilson—31.

Those absent or not voting were: Senators Clapp, Hammer, Hunter, Rands, Rasher, Russell, Smith (Dr. J. J.), Stansell, Van de Vanter, Watson—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sumner the reading had in the committee of the whole, of Senate bill No. 185, was considered the third reading of the bill, the rules being suspended.

Senate bill No. 185 was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Reed, Ruth, Smith (S. T.), Stewart, Sumner, Veness, Welsh, Wilson—31.

On motion of Senator Sumner the reading of House bill No. 214 had in the committee of the whole was considered the third reading, the rule being suspended.

House bill No. 214: An act making an appropriation for the use of the division of public documents of the state library; was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Veness, Welsh, Wilson—32.

Those absent or not voting were: Senators Clapp, Hammer, Hunter. Rands, Rasher, Ruth, Tucker, Van de Vanter, Watson—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

Those absent or not voting were: Senators Clapp, Hammer, Rands, Rasher, Russell, Smith (Dr. J. J.), Stansell, Tucker, Van de Vanter, Watson—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Baker the Senate considered House bill No. 100, an act creating the office of chaplain of the state penitentiary, etc.

House bill No. 100 was placed on its third reading.

Senator Palmer moved to amend the bill by striking out the first seven words in line 1 of section 1, and inserting in lieu thereof the words "Dr. J. C. Thoms."

Senators Wilson, Hemrich, Boone, Smith (Dr. J. J.), Rands, Hutson and Palmer demanded a roll call on the amendment.

The secretary called the roll and the amendment was lost by the following vote:

Those voting yea were: Senators Earles, Graves, Hemrich, Ruth, Stewart, Sumner, Veness—7.

Those voting nay were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts,

Rands, Russell, Smith (Dr. J. J.), Smith (S. T.), Tucker, Wilson —25.

Those absent or not voting were: Senators Boone, Clapp, Hammer, Rasher, Reed, Stansell, Van de Vanter, Watson, Welsh—9.

The bill was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Christian, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Rands, Russell, Smith (Dr. J. J.), Smith (S. T.), Sumner, Tucker, Watson, Wilson—28.

Those voting nay were: Senators Brown, Graves, Potts, Ruth, Stewart, Veness, Welsh—7.

Those absent or not voting were: Senators Clapp, Moore, Rasher, Reed, Stansell, Van de Vanter—6.

On motion of Senator Moore the bill was amended by inserting the word "and" after the word "duties" in the title of the bill.

There being no objection the title of the bill, as amended, was ordered to stand as the title of the act.

On motion of Senator Hutson the rules were suspended, and the bill ordered transmitted to the House immediately.

Senate bill No. 182 was placed on its third reading, and on motion of Senator Welsh the further consideration of the bill was made special order for 2:45 o'clock p. m. Thursday, February 23, 1905.

By unanimous consent House bill No. 172 was, at the request of Senator Welsh, taken up out of order.

On motion of Senator Welsh the Senate resolved itself into a committee of the whole to consider House bill No. 172.

The bill was considered in the committee of the whole, Senator Russell in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Welsh the report of the committee was adopted.

On motion of Senator Welsh the rules were suspended, and the reading of the bill had in the committee of the whole considered the third reading of the bill.

The bill was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Veness, Watson, Welsh, Wilson—34.

Those absent or not voting were: Senators Clapp, O'Donnell, Rands, Rasher, Stansell, Tucker, Van de Vanter—7.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Clapp, O'Donnell, Rasher, Stansell, Tucker, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate substitute bill No. 188, for Senate bill No. 137: An act providing for the irrigation, improvement and sale of lands granted to the State of Washington for any and all purposes and uses, was placed on its third reading.

On motion of Senator Graves the bill was amended by inserting the letter "a" after the word "make," in line 11 of section 4 of the printed bill.

On motion of Senator Moore the bill was amended by striking out the word "of" in line 38, section 10 of the printed bill, and the word "at" inserted in lieu thereof.

On motion of Senator Moore the bill was amended by adding to the end of section 6 the following:

"The commissioner of public lands shall, before letting any contract for the construction of any works herein provided for, require the contractor to enter into a bond to the State of Washington, in a penal sum of not less than twenty per cent of the estimated cost of the works, conditioned for the faithful performance of the terms and conditions of said contract."

The bill, as amended, was placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—34.

Those absent or not voting were: Senators Baker, Clapp, Kinnear, Rands, Rasher, Sumner, Van de Vanter—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 90: An act for the relief of John H. Willms, etc., was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Henry, Hunter, Hutson, Kennedy, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Bratt, Clapp, Graves, Hemrich, Kinnear, Le Crone, Moore, Rasher, Russell, Van de Vanter—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 16: An act relating to banking, and regulating foreign banks and foreign bankers doing business within this State, and providing a penalty, was placed on its third reading.

Senator Graves moved to amend the bill by striking out all of section 2 after the word "capital," in line 6, section 2 of the printed bill, and inserting in lieu thereof the following:

"Whenever any foreign bank or banker shall advertise on its, or his, stationery, or otherwise, the amount of it scapital stock, surplus or undivided profits, it shall join with it a statement of the amount of capital maintained at its placed of business in this State."

The amendment was lost.

House bill No. 16 was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Hammer, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Welsh, Wilson—33.

Senator Graves voted nay.

Those absent or not voting were: Senators Clapp, Hemrich, Kinnear, Rands, Rasher, Van de Vanter, Watson—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 126: An act permitting railroad companies to acquire a perpetual easement and right of occupancy of portions of the public lands of the State of Washington for railroad purposes, was read and the roll called on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Davis, Hammer, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Moore, Pauly, Pogue, Rands, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Watson, Welsh, Wilson—22.

Those voting nay were: Senators Boone, Bratt, Condon, Earles, Henry, Le Crone, O'Donnell, Palmer, Potts, Reed, Russell, Ruth, Stewart, Tucker, Veness—15.

Those absent or not voting were: Senators Clapp, Graves, Rasher, Van de Vanter—4.

There being no objection the title of the bill was ordered to stand as the title of the act.

At the request of Senator Smith (S. T.) House bill No. 164 was, by unanimous consent, taken up out of order.

House bill No. 164: An act amending an act relating to the incorporation of companies for clearing obstructions in rivers, etc., was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth,

Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Bratt, Clapp, Earles, Palmer, Rasher, Smith (Dr. J. J.), Stansell, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sumner Senate bill No. 158 was referred to the Committee on Appropriations.

The president announced that, in accordance with the resolution passed, Senator Hunter was appointed to serve temporarily on the Committee on Fisheries.

At 3:50 p. m., on motion of Senator Stewart, the Senate adjourned until 2:30 o'clock p. m. Monday, February 20, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FORTY-THIRD DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 20, 1905.
2:30 o'clock p. m.

The Senate was called to order at 2:30 o'clock p. m. by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senators Hemrich, excused, Moore, excused, Potts, excused, Van de Vanter, excused, and Veness, excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Tucker a committee of three was appointed from the Senate to confer with a like committee from the House on Senate bill No. 50.

The president appointed as such committee Senators Tucker, Palmer and Earles.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

The House has declined to recede from its amendments to Senate bill No. 50, entitled "An act making it unlawful for a husband to abandon his wife or child," etc.

The House has passed Senate bill No. 124, providing for submitting to the people the question of changing the permanent location of the seat of government from Olympia to Tacoma, and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

The following petition was read by the secretary and on motion of Senator Tucker referred to the Committee on Appropriations:

To the Senate and House of Representatives, Olympia, Washington.

GENTLEMEN—Your petitioners respectfully recommend to your favorable consideration House bill No. 232, being an act providing for the location, establishment and equipment, at the University of Washington, of a structural materials testing station, and making an appropriation therefor.

The State of Washington, through recent legislative enactments, is entering upon an era of scientific construction of public highways. Before expending the public funds in such work the materials used in construction, such as stone, gravels, cements, clay, timbers, etc., should be submitted to a thorough test and scientific analysis to determine the adaptability of the materials to the proposed use. Selection of materials under such tests would result in lasting benefits, which, from the standpoint of economy, would soon offset the cost to the State in establishing such a plant.

Your petitioners therefore give the measure their earnest endorsement, and hope for its enactment into law.

THE WASHINGTON GOOD ROADS ASSOCIATION.

(Signed) S. F. HOFFMAN, (Signed) SAMUEL HILL, President.
(Signed) A. S. BROWN,
(Signed) R. L. KLINE,
Committee on Legislation.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 19, entitled "An act to amend section 3 and section 15 of an act entitled 'An act providing for and regulating the selection of jurors in the superior court of the State, and providing for the appointment of jury commissioners, prescribing their duties, and providing for their removal from office,'" etc., have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 31, entitled "An act providing for the introduction of testimony given in a former trial, action or proceeding," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 36, entitled "An act authorizing and empowering any corporation to subscribe for and own stock in another corporation, and validating existing holdings of stock by corporations," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 188, entitled "An act providing for the irrigation, improvement and sale of lands granted to the State of Washington," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, W. E. Bronson.

SENATE CHAMBER,
OLYMPIA, WASH., February 18, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 185, entitled "An act making appropriations for certain de-

ficiencies," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 177, entitled "An act to create the county of Benton," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell.

SENATE CHAMBER,
OLYMPIA, WASH., February 18, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 60, entitled "An act donating to the city of Seattle all the shore lands and waters of Green Lake in the city of Seattle, King county, State of Washington," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell.

SENATE CHAMBER,
OLYMPIA, WASH., February 18, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 165, entitled "An act to validate assessments for local improvements," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., February 16, 1905.

To the Senate:

I am directed by the Governor to inform you that he has this day approved the following measures:

Senate bill No. 84: An act providing for the suspension and withholding of sentence of persons under the age of twenty-one years who have been convicted of misdemeanor or felony in the superior courts of the State of Washington.

Senate bill No. 86: An act relating to the employment of special attorneys and counsel by county commissioners.

A. N. BROWN, Private Secretary.

The following bills were signed by the president: Senate bill No. 19, Senate bill No. 31, and Senate bill No. 36.

INTRODUCTION OF BILLS.

Senate bill No. 194, by Senator Tucker: An act to amend section 4736 of Ballinger's Annotated Codes and Statutes of Washington, relating to exemptions from jury duty.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 195, by Senator Hammer: An act to amend section 4869 of Ballinger's Annotated Codes and Statutes of Washington, regulating the commencement of action as affecting the statute of limitations.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 196, by Senator Summer: An act to amend an act relating to the creation of a state oyster commission, and the management of the state oyster land reserves, etc.

The bill was read the first time, and on motion of Senator Summer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate bill No. 197, by the Committee on State, Granted, School and Tide Lands: An act to confirm the title and character of conveyances of certain oyster and tide lands, heretofore sold in the State of Washington.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Fisheries.

Senate bill No. 198, by Senator Rands: An act to provide for the reappraisement of the tide and shore lands on the Columbia river in front of the city of Vancouver, Washington, and granting abutting owners the preference right of purchase.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 199, by Senator Stansell: An act providing for the State's printing, the various classes defined and the maximum price that may be charged therefor; and repealing all acts and parts of acts in conflict therewith.

The bill was read the first time, and on motion of Senator Stansell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Printing.

House bill No. 55: An act to create a fish hatchery on the Little Spokane river in Spokane county, State of Washington, for the propagation and distribution of trout, bass and other game fish in the State of Washington.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House memorial No. 1: Memorializing Congress of the United States, asking that the Quinalt Indian reservation be excluded from the Olympic forest reserve.

The memorial was read the first time, and on motion of Senator O'Donnell the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

House bill No. 72: An act to amend sections 2, 13 and 14 of an act entitled "An act to provide for and regulate the registration of voters in cities and towns," etc.

The bill was read the first time, and on motion of Senator Russell the rules were suspended, the bill was read the second time by title, and referred to the Committee on Election and Privileges.

GENERAL FILE.

On motion of Senator Palmer House bill No. 102 was placed at the head of the calendar for tomorrow's session.

Engrossed copy, Senate bill No. 114: An act relating to drainage districts, etc., was placed on its third reading.

On motion of Senator Palmer the words "so as," after the word commissioners" in line 38 of section 1 of the amended printed bill, were stricken out.

On motion of Senator Palmer the bill was amended by inserting after the word "follows," in line 2 of section 4 of the amended printed bill, the word and figures "section 3719."

On motion of Senator Rands the bill was amended by striking section 5, and inserting in lieu thereof the following:

"Section 5. An emergency exists and this act shall take effect immediately."

The roll was called and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henry, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Hemrich, Hunter, Moore, Potts, Van de Vanter, Veness—6.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Hemrich, Moore, Potts, Van de Vanter, Veness—5.

On motion of Senator Hammer the title of the bill was amended by adding to same the words "and declaring an emergency."

On motion of Senator Hammer the title of the bill was amended by inserting after the figure "3" the figure "5," in line 1 of the amended printed bill.

On motion of Senator Graves the title of the bill was amended by inserting after the figures "3717" the figures "3719," in line 4 of the title of the amended printed bill.

There being no objection the amended title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 177: An act to create the county of Benton, etc., was given its third reading, and the roll called on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Pauly, Pogue, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Welsh, Wilson—34.

Those absent or not voting were: Senators Hemrich, Moore, Palmer, Potts, Van de Vanter, Veness, Watson—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 163: An act relating to the payment of expenses for the maintenance of dikes, drains, etc., in certain cases, etc., was placed on its third reading.

On motion of Senator Rands the word "included," in line 24 of section 4 of the printed bill, was stricken out and the word "including" inserted in lieu thereof.

On motion of Senator Sumner the further consideration of the bill was postponed until tomorrow's session.

On motion of Senator Tucker Senate bill No. 60 was made special order for 3 o'clock Thursday afternoon, February 23, 1905.

Senate bill No. 171 was placed on its third reading.

On motion of Senator Palmer Senate bill No. 171 and House bill No. 249 were made special order for 11 o'clock a. m. Friday, February 24, 1905.

Senate bill No. 21 was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly,

Pogue, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Summer, Tucker, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Baker, Bronson, Graves, Henrich, Moore, Potts, Van de Vanter, Veness—8.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, O'Donnell, Palmer, Pauly, Pogue, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Summer, Tucker, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Bronson, Graves, Henrich, Le Crone, Moore, Potts, Van de Vanter, Veness—8.

On motion of Senator Tucker the title of the act was amended by inserting after the word 'and," in line 2 of the title of the engrossed bill, the words "and providing for the appointment of a judge for Kitsap county."

On motion of Senator Condon the rules were suspended and Senate bills Nos. 177 and 21 were ordered transmitted to the House immediately.

Senator Smith (S.T.) gave notice of a motion to reconsider the vote by which House bill No. 164 passed the Senate.

House bill No. 92: An act to amend an act relating to the public schools of the State of Washington, etc., was placed on its third reading.

On motion of Senator Graves the bill was amended by inserting after the word "penmanship," in line 24 of section 4 of the printed bill, the words "and kindergarten training."

Senator Boone moved that the bill be amended by striking out the words "Provided, That after January 1st, 1906, no third grade certificate shall be issued," being in lines 14 and 15 of the printed bill.

The motion was lost.

On motion of Senator Russell the bill was amended by striking out the words "named in the certificate," in line 28 of section 4 of the printed bill, and inserting in lieu thereof the words "for which he has made application for certificate."

On motion of Senator Rands the word "and" preceding the word "penmanship," in line 24 of section 4 of the printed bill, was stricken out.

On motion of Senator Russell the bill was amended by striking out the word "assessable," in line 5 of section 7 of the printed bill, and the word "taxable" inserted in lieu thereof.

On motion of Senator Ruth the bill was amended by striking out the words "Provided, That after January 1st, 1906, no third grade certificate shall be issued," being in lines 14 and 15 of the printed bill.

The roll was called on final passage of the bill and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Bratt, Earles, Hemrich, Kinnear, Moore, Potts, Rasher, Sumner, Van de Vanter, Veness—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 54: An act to amend an act relating to the adulteration of foods, etc., was placed on its third reading.

On motion of Senator Russell the bill was amended by striking out the word "upon," in line 5 of section 1 of the printed bill.

On motion of Senator Rands, further consideration of the bill was postponed until tomorrow's session.

On motion of Senator Baker, the rules were suspended, and House bill No. 172 ordered transmitted to the House immediately.

On motion of Senator Baker the following Senate concurrent resolution was referred to the Committee on Memorials.

SENATE CONCURRENT RESOLUTION NO. 14.

WHEREAS, There is now in process of construction for the United States government the battleship "Washington," which has been so named in honor of this State, and,

WHEREAS, It would be fitting and appropriate for the State of Washington to recognize the honor thus conferred, therefore be it

Resolved by the Senate, the House concurring, That a joint committee of two members of the Senate and three members of the House be appointed to recommend to this Legislature some suitable gift to be presented to the battleship "Washington" by this State.

Resolved, That said committee be instructed to draw a bill making an appropriation to cover the expense of purchasing and delivering such gift.

On motion of Senator Palmer the following resolution was passed:

SENATE CONCURRENT RESOLUTION NO. 15.

Resolved by the Senate, the House concurring, That the secretary of the Senate and the chief clerk of the House be required to transmit with very amended bill, passed by either house, sufficient copies of all amendments adopted by either house of the Legislature to supply each member of the house to which the bill is transmitted with a copy of said amendment.

At 4:20 p. m., on motion of Senator Palmer, the Senate adjourned until 10:30 o'clock a. m. Thursday, February 23, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FORTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 23, 1905.
10 o'clock a. m.

The Senate was called to order at 10:30 o'clock a. m. by President Coon, pursuant to adjournment.

The secretary called the roll, all members being present except Senators Baker, Smith (S. T.), Moore, Van de Vanter, excused. Veness.

On motion the reading of yesterday's journal was dispensed with and it was approved.

Senator Pogue gave notice of a motion to reconsider the vote by which House bill No. 92 passed the Senate.

On motion of Senator Sumner, the vote by which House bill No. 164 passed the Senate was reconsidered, and the bill ordered placed on the calendar.

On motion of Senator Palmer the following resolution was adopted:

SENATE CONCURRENT RESOLUTION NO. 16.

WHEREAS, The Christian Endeavorers of Washington are anxious to have the twenty-third international convention of the United Society of Christian Endeavor held in Seattle in July, 1907, and,

WHEREAS, The organization numbers about six million members, and from twenty to thirty thousand members usually attend an international convention, and,

WHEREAS, They have met but once upon the Pacific coast, and never in the Northwest; and,

WHEREAS, A great international convention would be of inestimable good to Seattle and to the whole State; and,

WHEREAS, We believe that Seattle could ably entertain all who might visit our State at that time; therefore be it

Resolved by the State Senate, the House of Representatives concurring, That we extend to the United Society of Christian Endeavorers a most cordial invitation to hold their next convention in the city of Seattle in 1907.

The following communication was read by the secretary:

To the Honorable, the Senate and the House of Representatives of the State of Washington, now Assembled:

WHEREAS, There is pending before your honorable bodies a bill amending and revising chapter 133 of the Session Laws of 1903, and

WHEREAS, We recognize that some amendments to said law, being commonly known as the horticultural law, are seemingly necessary and have been favored and advised by the State Horticultural Association, and

WHEREAS, The bill now pending before your bodies is not in accord with the amendments favored by said State Horticultural Society, but contain many provisions repugnant to the views of such society, and

WHEREAS, The varied horticultural interests of the State would be seriously injured by the passage of such bill, and

WHEREAS, Such interests have never had any fitting opportunity to consider said proposed amendments and said proposed amendments in many instances represent special interests, and

WHEREAS, We believe that the present law is more satisfactory than the pending bill, and that before any amendments to said law should be made the various horticultural interests of the State should be afforded just and ample opportunity to consider and advise upon all necessary amendments so as to make the law when amended equitable and just to all interests, and to have the law as amended contain the completest powers for the protection and furtherance of horticulture in the State at large; therefore be it

Resolved, That we, the Snohomish Horticultural Association, an auxiliary of the State Horticultural Association, respectfully petition your honorable bodies to make no amendments to the present law at this session, but defer making any amendments therein, until such time as all the horticultural interests in the State are afforded an opportunity to consider and pass upon the same. We further represent that amendments of this law at each session of the Legislature tend to disorganize and confuse the people interested, and thus become harmful through their frequency; also, be it further

Resolved, That we earnestly petition your honorable bodies to make an appropriation to continue the agricultural experiment station at Puyallup for the reason that we feel that this work should not be intermittently disturbed, especially in view of the fact that climatic conditions on this side of the mountains differing so greatly from those at the agricultural college, that experiments there are of compartively little value to the people living here, and that the result of such experiments are greatly needed for the promotion of agriculture in the western part of this State where the conditions are so favorable as to ultimately support a very large population engaged in agricultural and horticultural pursuits.

(Signed) D. F. SEXTON, President.

C. L. CLEMANS, Secretary.

On motion of Senator Stewart, referred to the Committee on Horticulture and Forestry.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 124, entitled "An act to provide for submitting the question of changing the permanent location of the seat of government from Olympia, Thurston county, Washington, to Tacoma, Pierce county,

Washington, to the vote of the people," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: H. Rasher, C. G. Brown, O. A. Tucker.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 2, entitled "An act in relation to applications for divorce, amendatory of sections 4630, 4632 and 4633 of Pierce's Code, sections 5716, 5718 and 5719 of Ballinger's Code, and providing for the taking and filing of testimony and payment of fees therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

After the word "act," in the title of the printed bill, strike the remainder of the said title and substitute the following words therefor: "Relating to divorce, amending sections 5716, 5718 and 5730 of Ballinger's Annotated Codes and Statutes of Washington, and repealing sections 5724, 5725 and 5726 of said codes and statutes."

In line 13, section 1 of the printed bill, after the word "party," strike the comma and substitute a semi-colon therefor. In line 14 of said section strike the comma after the word "family" and add the following words: "for six months immediately preceding the commencement of the action." In line 17 of said section strike the word "ten" and substitute therefor the word "four."

In line 3, section 2 of the printed bill, strike the words "two years" and substitute the words "one year" therefor.

Strike out section 3 of the printed bill and substitute the following therefor: "Section 3. That section 5730 of Ballinger's Annotated Codes and Statutes of Washington (Pierce's Code, section 4641) is amended to read as follows: 'Section 5730. After trial the court shall make and file its findings of fact and conclusions of law in writing, and if it determines that no divorce shall be granted, final judgment must thereupon be entered accordingly. If it determines that a divorce ought to be granted, an interlocutory judgment must be entered declaring that the party in whose favor the court decides is entitled to a divorce and what disposition shall be made of the property and minor children of the parties, and from such interlocutory judgment an appeal may be taken within the time, in the same manner and with like effect as if the judgment were final. When one year has expired after the entry of such interlocutory judgment the court on motion of either party, or upon its

own motion, may enter a final judgment granting the divorce and confirming the provisions of the interlocutory judgment, and such final judgment shall restore the parties to the status of single persons and permit either to marry after the entry thereof, but if an appeal be taken from the interlocutory judgment or motion for a new trial made, final judgment shall not be entered until such appeal or motion has meen fully disposed of, nor then, if the judgment has been reversed or motion granted. The death of either party after the entry of tne interlocutory judgment shall not impair the power of the court to enter final judgment as hereinbefore provided, but the entry of final judgment shall not validate any marriage contracted by either party before the entry thereof, nor constitute any defense to any criminal prosecution made against either. Nothing herein contained shall be construed to prevent the parties to the action from remarrying at any time.' "

Strike out section 4 of the printed bill and substitute the following therefor: "Section 4. That sections 5724, 5725 and 5726 of Ballinger's Annotated Codes and Statutes of Washington be and the same are hereby repealed."

E. M. RANDS, Chairman.

We concur in this report: S. S. Russell, T. A. Hunter, Charles T. Hutson, Will G. Graves, Walter Christian, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 175, entitled "An act amending section 3 of chapter 176 of the Laws of 1903, entitled 'An act providing for the incorporation of trust companies, and defining their powers and duties,' approved March 17, 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In line 4, section 1 of the printed bill, before the word "Sec.," strike the quotation marks. In line 25 of said section, after the word "corporation," insert the words "complying with the provisions of this act and." In line 26 of said section, strike the words "of the provisions of this act" and substitute therefor the word "thereof." Strike the quotation marks at the end of said section.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, E. B. Palmer, S. S. Russell, T. A. Hunter, John T. Welsh, Will G. Graves, Walter Christian, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 56, entitled "An act amending section 1 of chapter 140 of Laws of the Legislature of the State af Washington for 1901, which said chapter 150 is an act relating to the clearing out and improving of rivers and streams, and amending section 4391 of Ballinger's Annotated Codes and Statutes of Washington, the same being section 5 of an act entitled 'An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this State, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, T. A. Hunter, John T. Welsh, Will G. Graves, Walter Christian, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 181, entitled "An act authorizing county commissioners to make provision for the relief and support of dependent children," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, E. B. Palmer, S. S. Russell. Will G. Graves, Walter Christian, T. A. Hunter, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill 172, entitled "An act setting aside and dedicating certain lands of the State as a public highway," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, E. B. Palmer, S. S. Russell, T. A. Hunter, John T. Welsh, Will G. Graves, Walter Christian, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate bill No. 16, entitled "An act authorizing cities to fix and determine the price to be charged for water, gas, electric light, electric power, the use of telephones and for street car fars, and to prescribe penalties for the violation of such ordinances, and authorizing the bringing of civil actions to enforce such ordinances, or to construe them or determine their validity, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: S. S. Russell, Will G. Graves, Walter Christian, E. B. Palmer.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate bill No. 16, entitled "An act authorizing cities to fix and determine the price to be charged for water, gas, electric light, electric power, the use of telephones and for street car fares, and to prescribe penalties for the violation of such ordinances, and authorizing the bringing of civil actions to enforce such ordinances, or to construe them or determine their validity, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

CHARLES T. HUTSON.
JOHN T. WELSH.

Senator Rands moved the adoption of the majority report.

Senator Welsh moved as a substitute that the minority report be adopted.

The substitute was lost and the majority report adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred House bill No. 28, entitled "An act to provide for the payment by the State or counties or cities of the premium or charge on official bonds when given by surety companies," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: S. S. Russell, T. A. Hunter, John T. Welsh, Will G. Graves, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred House bill No. 28, entitled "An act to provide for the payment by the State or counties or cities of the premium or charge on official bonds when given by surety companies," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WALTER CHRISTIAN.
E. B. PALMER.
CHARLES T. HUTSON.

Senator Rands moved the adoption of the majority report.

Senator Hutson moved as a substitute that the minority report be adopted.

The substitute was carried and the minority report adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 136, entitled "An act to provide for sheriffs charging fees for serving warrants of arrest in criminal cases and adding to the schedule of sheriff's fees prescribed in chapter 151 of the act of 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, E. B. Palmer, S. S. Russell, T. A. Hunter, John T. Welsh, Will G. Graves, Walter Christian, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 120, entitled "An act to establish a board of commissioners for the promotion of uniformity of legislation in the United States," have had

the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In line 4, section 1 of the printed bill, strike the words 'by resignation, death, or however otherwise arising." In line 5 of said section, between the words "by" and "appointment," strike the word "the," and in the same line strike the words "of a suitable person."

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, E. B. Palmer, S. S. Russell, T. A. Hunter, John T. Welsh, Will G. Graves, Walter Christian, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 198, entitled "An act providing for the amendment of section 16 of article one (1) of the Constitution of the State of Washington, relating to the exercise of the power of eminent domain," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, Chairman.

We concur in this report: Walter J. Reed, S. M. Le Crone, J. J. Smith, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 198, entitled "An act providing for the amendment of section 16 of article one (1) of the Constitution of the State of Washington, relating to the exercise of the power of eminent domain," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

In line 8 of section 1 of the printed bill strike out the words "milling and manufacturing."

WALTER CHRISTIAN.

Senator Graves moved that the majority report be adopted.

Senator Christian moved as a substitute that the minority report be adopted.

The substitute was lost and the majority report adopted.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

The House has passed House bill No. 157, relating to the sale and manufacture of dairy products.

Also House substitute bill No. 115, regulating plumbing in cities of the first class.

Also House bill No. 99, providing for the incorporation of mutual fire insurance companies.

Also House bill No. 252, to provide for the establishment and creation of diking districts.

Also House bill No. 156, altering and prescribing the rule of inheritance.

Also Senate bill No. 87, authorizing the board of land commissioners to extend the time for the removal of timber, without the emergency.

Also House substitute bill No. 130, to prohibit live stock from running at large.

Also House bill No. 140, concerning wages of labor.

Also House bill No. 226, to establish a general uniform system of public schools.

Also House bill No. 53, to enable counties, cities and towns to validate certain warrants.

Also House bill No. 177, relating to the normal schools.

Also House bill No. 248, providing certain contracts shall be void unless in writing.

Also House bill No. 13, an act to establish an institution for the defective and feeble-minded youth.

Also House substitute bill No. 70, for the relief of drainage district No. 14, of Skagit county.

Also House bill No. 95, an act in relation to spendthrifts and drunkards.

Also House bill No. 126, to establish a state fish hatchery on the upper Methow river.

Also House bill No. 201, to provide for a close season for clams on the Pacific ocean beach.

Also House bill No. 251, to establish state fish hatcheries in Skagit county, and making an appropriation.

Also House bill No. 202, to establish a state fish hatchery in Jefferson county.

Also House bill No. 276, authorizing cities and towns to construct waterways, systems of sewerage, works for lighting, heating, fuel and power purposes.

Also House substitute bill No. 154, to secure and perpetuate liens upon chattels for labor, skill and money expended thereon.

Also House bill No. 69, to establish a fish hatchery on the east fork of Lewis river.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

The House has indefinitely postponed Senate bill No. 132, relating to the presentation of claims for damages against cities.

The House has concurred in Senate amendments to House bill No. 106, relative to the punishment of the crime of seduction.

The House has concurred in Senate amendments to House bill No. 131, an act repealing an act for annexing territory to adjoining counties.

The House has concurred in Senate amendments to House bill No. 150, relating to the maintenance of sidewalks in cities.

The House has passed Senate concurrent resolution No. 14, providing for a joint committee to recommend a suitable gift for the battleship Washington.

The House has concurred in Senate amendments to House bill No. 100, creating the office of chaplain to the penitentiary.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 36, entitled "An act authorizing and empowering any corporation to subscribe for, and to acquire by purchase or otherwise, and hold, own, sell, assign and transfer shares of the capital stock of another corporation," etc.

Also Senate bill No. 31, entitled "An act providing for the introduction of testimony given in a former trial, action or proceeding.

Also Senate bill No. 19, entitled "An act amending an act relating to the selection of juries."

Also House bill No. 172, directing the sale of certain lands on the north bank of the Columbia river.

Also House bill No. 19, authorizing the assessment of lands held or owned by counties or State.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1905.

MR. PRESIDENT:

We, your majority Committee on Educational Institutions, to whom

was referred House bill No. 82, entitled "An act to change the name of the Washington agricultural college experiment station and school of science, to the State College of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. A. HUTSON, Chairman.

We concur in this report: Walter Christian, Fred M. Pauly, G. B. Wilson.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1905.

MR. PRESIDENT:

We, your minority Committee on Educational Institutions, to whom was referred House bill No. 82, entitled "An act to change the name of the Washington agricultural college experiment station and school of science, to the State College of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

E. C. BRATT.
O. A. TUCKER.

Senator Wilson moved the adoption of the majority report.

Senator Bratt moved as a substitute that the minority report be adopted..

The substitute was lost and the majority report adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 94, entitled "An act to prevent the fraudulent removal of personal property," with the following amendment:

Strike out all after the enacting clause and substitute therefor the following:

"Section 1. That any purchaser or lessee of personal property obtaining the possession of such property under a contract providing that the title thereto shall not vest in the purchaser until the purchase price thereof has been paid in full, who, with intent to hinder, delay or defraud the vendor thereof or his or her assigns or legal representatives, shall injure or destroy such property or any part thereof or shall conceal such property or any part thereof, or shall remove the same or any part thereof from the county where it was situated at the time the possession passed to said purchaser or lessee, before it is duly released, without the consent in writing of the vendor, or shall sell or dispose

of the same or any interest therein where he parts with the possession thereof, without the consent in writing of the vendor, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for a period not to exceed six months or by a fine of not more than twice the value of such property, or by both such fine and imprisonment."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Palmer, the message from the House relative to Senate bill No. 94 was referred to the Committee on Judiciary.

Senator Palmer moved that the Senate clerks and pages be instructed to paste copies of all amendments to bills in the bill files.

The motion was lost.

INTRODUCTION OF BILLS.

Senate bill No. 200, by Senator Russell: An act to amend section 6490 of Ballinger's Annotated Codes and Statutes of Washington, relating to habitual drunkards.

The bill was read the first time, and on motion of Senator Russell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 201, by Senator Clapp: An act regulating the keeping and deposit of municipal funds.

The bill was read the first time, and on motion of Senator Clapp the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 202, by Senator Kinnear: An act repealing an act relating to an act to establish the number of hours to constitute a day's work on all State, county and municipal construction or such work done by contract or sub-contract.

The bill was read the first time, and on motion of Senator Kinnear the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Miscellaneous.

Senate bill No. 203, by Senator Hunter: An act authorizing the use of "deficiency certificates" heretofore issued for labor

performed on roads in payment of road property taxes, and declaring an emergency.

The bill was read the first time, and on motion of Senator Hunter the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 204, by Senator Pogue: An act providing for the assessment and taxation of mining claims, the improvements thereon and the ore backs, blocks and reserves of mines, and declaring an emergency.

The bill was read the first time, and on motion of Senator Pogue the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Mines and Mining.

House bill No. 157: An act relating to the manufacture and sale of dairy products, etc.

The bill was read the first time, and on motion of Senator Boone the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dairy and Live Stock.

House substitute bill No. 115: An act regulating plumbing in cities of the first class.

The bill was read the first time, and on motion of Senator Graves the rules were suspended, the bill was read the second time by title and referred to the Committee on Cities of the First Class.

House bill No. 99: An act to amend chapter 97 of the Session Laws of 1903, being "An act providing for the incorporation and regulation of mutual fire insurance companies."

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title and referred to the Committee on Insurance.

House bill No. 95: An act in relation to spendthrifts and drunkards.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title and referred to the Committee on Insurance.

House bill No. 126: An act to establish a state fish hatchery

on the upper Methow river, or some of its tributaries, in Okanogan county, in the State of Washington.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House bill No. 201: An act to provide for a close season for razor clams, etc., fixing a penalty for the violation of the same, and declaring an emergency.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House bill No. 251: An act to establish and maintain state fish hatcheries on the Skagit river, etc., and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House bill No. 202: An act to establish and maintain a state fish hatchery on Chimacum creek, or some of its tributaries, in Jefferson county, Washington, and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House bill No. 276: An act to amend section 1 of an act entitled "An act amending section 1 of an act entitled 'An act authorizing cities and towns to construct, condemn and purchase, acquire, add to, maintain, conduct and operate waterways, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways,'" etc.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House substitute bill No. 154: An act to secure and perpetuate liens upon chattels for labor, skill and material expended thereon, and providing for the enforcement thereof.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 69: An act to establish a fish hatchery on the east fork of the Lewis river.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House bill No. 252: An act to amend sections 3 and 27 of an act entitled "An act to provide for the establishment and creation of diking districts, and the construction and maintenance of a system of dikes," etc.

The bill was read the first time, and on motion of Senator Hammer the rules were suspended, the bill was read the second time by title and referred to the Committee on Dikes, Drains and Drainage.

House bill No. 226: An act to amend, etc., an act relating to the public schools of the State of Washington, etc.

The bill was read the first time, and on motion of Senator Le Crone the rules were suspended, the bill was read the second time by title and referred to the Committee on Education.

House bill No. 140: An act concerning wages of labor, etc.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title and referred to the Committee on Labor and Labor Statistics.

House substitute bill No. 70: An act relating to the payment of assessments made on State, school, granted or other lands for the purpose of drainage, etc., and making an appropriation therefor, and declaring an emergency.

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title and referred to the Committee on Appropriations.

House bill No. 13: An act to establish an institution for the defective and feeble-minded youth of the State of Washington, providing for the erection and equipment of suitable buildings therefor and making an appropriation, and repealing laws and parts of laws in conflict with this act, and declaring an emergency.

The bill was read the first time, and on motion of Senator Bratt the rules were suspended, the bill was read the second time by title and referred to the Committee on Appropriations.

House bill No. 248: An act amending section 4576 of Bal-

linger's Annotated Codes and Statutes of Washington, relating to contracts and providing that certain contracts shall be void unless in writing.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 177: An act amending sections 215, 220, 221, 222 and 223 of the Code of Public Instruction, relating to the normal schools.

The bill was read the first time, and on motion of Senator Hunter the rules were suspended, the bill was read the second time by title and referred to the Committee on Educational Institutions.

House substitute bill No. 130: An act to prohibit all live stock from running at large, etc.

The bill was read the first time, and on motion of Senator Boone the rules were suspended, the bill was read the second time by title and referred to the Committee on Dairy and Live Stock.

House bill No. 53: An act to enable counties, cities and towns to validate certain warrants, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title and referred to the Committee on Municipal Corporations.

House bill No. 156: An act altering and prescribing the rule of inheritance or descent of certain real and personal property in certain cases.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 19 and House bill No. 172 were signed by the president.

At 11:45 a. m. a recess was taken, on motion of Senator Palmer, until 1:30 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 1:30 o'clock by President Coon.

The secretary called the roll, all members being present except Senators Moore, Smith (S. T.), Van de Vanter, excused.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 197, entitled "An act to confirm the title and character of conveyances of certain oyster and tide lands heretofore sold in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: W. G. Potts, A. L. Watson, R. W. Condon, Jno. Earles, T. B. Sumner, T. A. Hunter, Lincoln Davis.

House bill No. 102: An act to enable cities of the first, second and third classes and other cities and towns working under special charters having sufficient population to authorize them to re-incorporate, etc., to exercise the right of eminent domain, etc., was placed on its third reading.

On motion of Senator Palmer the bill was amended by inserting after the word "of" in line 1 of section 22 of the printed bill, the words "the superior judge and."

On motion of Senator Palmer the bill was amended by inserting after the word "payment," in line 9 of section 33 of the printed bill, the following:

"The owner shall annually notify the treasurer of his address and it shall be the duty of the treasurer to mail the notice above provided for to such address."

On motion of Senator Palmer the bill was amended by striking out the word "may," in line 19 of section 41 of the printed bill, after the word "notice," and inserting in lieu thereof the word "shall," and by inserting after the word "persons" in line 19 of section 41 of the printed bill the words "if a resident of the county and not previously personally served in the action."

On motion of Senator Palmer the bill was amended by striking out section 42 and inserting in lieu thereof the following:

"Section 42. All moneys collected by the treasurer upon assessments under this act shall be kept as a separate fund and shall be used for no

other purpose than the redemption of warrants or bonds drawn or issued against the fund."

House bill No. 102 was placed on final passage, as amended, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Davis, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Tucker, Watson, Welsh, Wilson—30.

Senator Stewart voted nay.

Those absent or not voting were: Senators Baker, Condon, Earles, Moore, O'Donnell, Rands, Smith (S. T.), Sumner, Van de Vanter, Veness—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy of Senate bill No. 165: An act to validate assessments made, or which may be made, to pay for local improvements, etc., was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Sumner, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Baker, Christian, Moore, O'Donnell, Palmer, Smith (S. T.), Stewart, Tucker, Van de Vanter, Veness—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy Senate bill No. 176: An act to amend section 5 of an act entitled "An act to provide for the incorporation of associations for social, charitable and educational purposes," etc., was read the third time.

On motion of Senator Graves the bill was amended by striking out in line 3 of section 1 of the printed bill the words "being section 7181 of Pierce's Washington Code."

On motion of Senator Graves the title of the bill was amended by striking out the words "the same being section 7181 of Pierce's Washington Code."

Senate bill No. 176, as amended, was placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Stewart, Watson, Welsh, Wilson—28.

Those absent or not voting were: Senators Baker, Christian, Graves, Hutson, Kinnear, Moore, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Van de Vanter, Veness—13.

There being no objection the amended title of the bill was ordered to stand as the title of the act.

On motion of Senator Palmer, Senate bill No. 93 was placed at the head of the calendar for Monday, February 27, 1905.

On motion of Senator Palmer, Senate bill No. 180 was placed on the calendar for tomorrow.

Senate bill No. 163: An act to provide for the payment of expenses incurred in compliance with an act entitled "An act to provide for the construction and maintenance of dikes and dams," etc., was placed on its third reading.

On motion of Senator Hammer the bill was amended by striking out in line 2 of section 1 of the printed bill the word "or" and substituting in lieu therefor the word "and."

On motion of Senator Hammer the bill was amended by adding to the end of section 1 the following:

Provided, That no such assessment shall be made, nor shall any proceeding under this act be had, unless such dike or system of dikes shall have been so constructed and maintained and be at the time of the initiation of such assessment proceeding in such a condition as to constitute an actual, substantial benefit to the land included within the limits of said diking district, by so protecting said lands from overflow as to render them suitable for cultivation.

On motion of Senator Graves the bill was amended by striking out the word "eight" in line 10 of section 1 of the printed bill, and substituting the word "six" in lieu thereof.

On motion of Senator Graves the bill was amended by striking out the words "Ballinger's Code as arranged and annotated by Richard A. Ballinger," in lines 18 and 19 of section 3 of the printed bill, and inserting in lieu thereof the words "Ballinger's Annotated Codes and Statutes of Washington."

On motion of Senator Graves the bill was amended by striking out the word "seven" in line 17 of section 4 of the printed bill, and inserting in lieu thereof the word "six."

On motion of Senator Palmer the bill was amended by striking out the words "so as," in line 5 of section 6 of the printed bill.

On motion of Senator Graves the bill was amended by striking out all of section 9 after the word "act" in line 6 of section 9 of the printed bill.

On motion of Senator Graves the word "of" in line 19 of section 10 of the printed bill was stricken out and the word "or" inserted in lieu thereof.

The hour of 2:45 p. m. having arrived, the president announced that the consideration of Senate bill No. 182 would be in order, in accordance with the special order set for that hour.

On motion of Senator Palmer the special order was set aside until the Senate finished the consideration of Senate bill No. 163.

On motion of Senator Hammer Senate bill No. 163 was amended by striking the words "their after" in line 5 of section 15 of the printed bill, and inserting in lieu thereof the word "thereafter."

On motion of Senator Graves Senate bill No. 163 was amended by striking out all of section 15, after the word "draw," in line 7 of section 15 of the printed bill, and inserting in lieu thereof the following: "interest at the rate of six per cent per annum."

On motion of Senator Hammer the bill was amended by striking out section 17 of the printed bill and inserting in lieu thereof the following: "Section 17. If any section, subdivision, sentence or clause of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of the act."

On motion of Senator Hammer the title of the bill was amended by striking out the words "and declaring an emergency."

The roll was called on final passage and Senate bill No. 163 passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth,

Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Earles, Hunter, Moore, Rasher, Smith (S. T.), Van de Vanter—6.

SPECIAL ORDER.

The Senate considered Senate bill No. 182, which was a special order for 2:45 this p. m.

Senate bill No. 182: An act relating to the office of public printer, etc., was placed on its third reading.

On motion of Senator Tucker the bill was amended by striking out the word "twenty" in line 2 of section 2 of the printed bill, and the word "ten" inserted in lieu thereof.

On motion of Senator Graves the bill was amended by striking out all of section 3 after the word "provided" in line 7 of section 3 of the printed bill, and inserting in lieu thereof the following: "this act shall not apply to the printing of the supreme court reports."

On motion of Senator Tucker the bill was amended by striking out section 4 and inserting in lieu thereof the following:

Sec. 4. All printing and binding shall be done under the general superintendence of the authorities ordering the same, and when completed shall be delivered to such authorities, who shall sign receipts in duplicate therefor; Provided, however, That before the public printer shall execute any printing or binding for any office, board, commission, or institution, the proper officer thereof shall apply for, and, if such printing and binding is found to be necessary and proper, they shall be furnished with requisitions in duplicate for such printing and binding, approved by the Governor; they shall also approve all bills for printing and binding before the same are paid.

On motion of Senator Tucker the bill was amended by striking out section 5 and inserting in lieu thereof the following:

Sec 5. Upon the delivery of work and receiving a receipt therefor the public printer shall make out and deliver to the secretary of state a bill in duplicate therefor, stating what the book, work or job is, when the requisition therefor was received by him, and when the same was finished and delivered, and specify particularly by item everything charged for in such bill, giving the amount and the price charged for each separate item as hereinafter specified, and the aggregate amount charged for such job or work; together with the number of copies thereof printed and delivered, and with the original

requisition issued by the Governor for such job or work attached. One copy of such bill shall have attached a copy of the book, job or work herein mentioned, and a receipt from the officer receiving such work, and, together with the original requisition of the Governor shall remain on file in the office of the secretary of state. No bill shall cover more than one book, report, blank or job of any kind. All bills shall be numbered, and the secretary of state shall register the same in numerical order in a book designated as "Register of Public Printing," which shall be so ruled and printed that he can enter in red ink opposite the amount charged by the public printer, for each item, the amount allowed by the secretary of state as auditor for such item, and the amount so audited and allowed, if different from the amount claimed in said bill, shall in all cases be so entered by such secretary of state. Immediately after the registering of such bill the secretary of state shall designate on the duplicate of said bill such item or items as he shall disallow in whole or in part, and shall certify thereon to the state auditor the amount by him allowed and upon presentation of such duplicate, together with the duplicate requisition issued by the Governor therefor, with the approval of the Governor covering the items listed thereon, the state auditor shall issue a warrant therefor on the state treasurer, payable out of any funds appropriated for that purpose: Provided, That the state auditor may include in one warrant the aggregate amount of any number of bills as audited and certified by the secretary of state when such bills are payable out of the same fund.

On motion of Senator Palmer the word "fifty" in line 41 of section 6 of the printed bill was stricken out and the word "sixty" inserted in lieu thereof.

Senator Palmer moved to amend the bill by inserting after the word "scale" in line 2 of section 7 of the printed bill the words "as in force in February, 1905."

The amendment was lost.

On motion of Senator Tucker the bill was amended by striking out section 8 and inserting in lieu thereof the following:

Sec. 8. Compensation for binding on all classes of work shall be under and according to the following schedule:

Standard size of pages shall be six by nine inches. A signature shall consist of sixteen pages or necessary fraction thereof.

For pamphlets containing six signatures or less, including folding, gathering, stitching, covering and trimming, for 1,000 finished pamphlets, $15.00.

For pamphlets containing more than six and not more than twelve signatures, including items as above, for 1,000 finished pamphlets. $24.00.

For pamphlets containing more than twelve and not more than eighteen signatures, including items as above, for 1,000 finished pamphlets, $35.00.

For case covered bound books, cloth or full sheep or skiver, including folding, gathering, sewing on three bands, forwarding and finishing, stamping and trimming, complete and finished as follows:

Per volume of not over six signatures, 25 cents.

Per volume over six sections and not over twelve sections, 30 cents.

Per volume over twelve sections and not over eighteen sections, 35 cents.

Per volume over eighteen sections and not over twenty-four sections, 40 cents.

All inserts tipped in, per 1,000, $1.50.

All time work not covered by the above described work shall be paid for at the rate of $1.00 per hour.

All ruled work to be paid for at the rate of $1.25 per hour for time of machine and attendants.

On motion of Senator Tucker the bill was amended by striking out section 11 and inserting the following in lieu thereof:

Sec. 11. That there be and there is hereby appropriated out of any money of the state treasury not otherwise appropriated the sum of twelve hundred dollars ($1200), to be expended by said Governor for the purpose of defraying the necessary clerical or expert expenses incident to the carrying out of the provisions of this act.

On motion of Senator Tucker the bill was amended by adding the following:

Sec. 12. The state auditor is hereby authorized and instructed to issue his warrant or warrants upon the state treasurer for the purpose specified in section 11 of this act in monthly payments of fifty dollars ($50) per month.

On motion of Senator Tucker the bill was amended by adding the following:

An emergency exists and this act shall take effect immediately.

On motion of Senator Palmer the bill, as amended, was ordered printed and referred to the Committee on Appropriations.

SPECIAL ORDER.

The hour having arrived the Senate proceeded to consider Senate bill No. 60.

Engrossed copy Senate bill No. 60: An act donating to the city of Seattle all the shore lands and waters of Green Lake, in the city of Seattle, King county, State of Washington, was placed on its third reading.

On motion of Senator Tucker the bill was amended by inserting after the word "lands," in line 1 of section 1 of the printed bill, a comma and the word "beds."

Senator Tucker moved that the bill be amended by adding to the end of section 1 the following:

Provided, that this act shall not affect the vested rights of upland owners, and, provided further, that the existing ordinances of said city authorizing the use of parts of said shore lands, beds and waters shall continue in full force in accordance with the terms and conditions thereof.

Senator Welsh moved as a substitute that the bill be amended by adding the following to section 1:

Provided, That this act shall not impair any rights of abutting owners to purchase under existing laws any of said shore lands.

The substitute was lost and the amendment offered by Senator Tucker was carried.

Senator Graves moved to amend the bill by adding the following:

Section 2. The above granted lands shall never be used for any other than park, parkway or boulevard purposes. The city of Seattle shall commence the improvement thereof within one year from the taking effect of this act, and, within five years from that time shall expend at least $10,000 in such improvements. The title to said lands shall revert to the State in case of the failure of the city to comply with any of the provisions of this section.

The amendment was carried.

Senate bill No. 60 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Clapp, Davis, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Sumner, Tucker, Veness, Watson, Welsh, Wilson—33.

Those voting nay were: Senators Boone, Christian, Condon—3.

Those absent or not voting were: Senators Earles, Moore, Smith (S. T.), Stewart, Van de Vanter—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

The president signed Senate bill No. 124.

COMMUNICATIONS FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., February 23, 1905.

To the Senate:

I am directed by the Governor to inform you that he has this day approved Senate bill No. 36, entitled "An act authorizing and empowering any corporation to subscribe for, and to acquire by purchase or otherwise, and hold, own, sell, assign and transfer shares of the capital stock of another corporation and to participate in and vote said stock at any and all stockholders' meetings, and validating existing holdings of stock by corporations."

A. N. BROWN, Private Secretary.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., February 23, 1905.

To the Senate:

I am directed by the Governor to inform you that he has this day approved Senate bill No. 31, entitled:

"An act providing for the introduction of testimony given in a former trial, action or proceeding."

A. N. BROWN, Private Secretary.

House bill No. 110: An act amending, etc., providing for a closed season for trout fishing in the lakes and streams of Chelan county, was read the third time and placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bronson, Brown, Christian, Graves, Hammer, Hemrich, Henry, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Tucker, Veness, Watson, Welsh, Wilson—28.

Those absent or not voting were: Senators Baker, Bratt, Clapp, Condon, Davis, Earles, Hunter, Hutson, Moore, Smith (S. T.), Stewart, Sumner, Van de Vanter—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 71: An act to amend sections 1362 and 1394 of Ballinger's Codes and Statutes of the State of Washington, relating to elections, was placed on its third reading.

On motion of Senator Palmer the title of the bill was amended by inserting after the word "Ballinger's" the word "Annotated."

On motion of Senator Palmer the bill was amended by inserting the word "Annotated" after the word "Ballinger's" in line 1 of section 1 of the printed bill, and also by inserting the word "Annotated" after the word "Ballinger's" in line 1 of section 2 of the printed bill.

On motion of Senator Palmer the bill was amended by striking out the word "so" after the word "be" in line 2 of section 1 of the printed bill and also by striking out the word "as" after the word "amended" in line 2 of section 1 of the printed bill.

On motion of Senator Palmer the bill was amended by striking out the word "so" after the word "be" in line 2 of section 2 of the printed bill, and also by striking out the word "as" after the word "amended" in line 2 of section 2 of the printed bill.

House bill No. 71 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Henry, Hunter, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Earles, Hemrich, Hutson, Moore, Smith (S. T.), Sumner, Tucker, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 54: An act to amend an act relating to the adulteration of foods, etc., was placed on its third reading.

On motion of Senator Rands the bill was amended by inserting after the figure "5" in line 1 of section 1 of the printed bill, the following:

of an "Act to provide against the adulteration of food and fraud in the sale thereof; creating a state board of food commission, defining their duties and providing for the appointment of an officer to be known as the state dairy and food commissioner; providing for the enforcement of the law and fixing a penalty for violation thereof; making an appropriation, declaring an emergency, and repealing 'An act to provide against the adulteration of food,' approved March 13, 1899," approved March 16, 1901.

On motion of Senator Rands the bill was amended by inserting after the figure "6" in line 1 of section 2, the following:

of "An act to provide against the adulteration of food and fraud in the sale thereof; creating a state board of food commission, defining their duties and providing for the appointment of an officer to be known as the state dairy and food commissioner; providing for the enforcement of the law and fixing a penalty for violation thereof; making an appropriation, declaring an emergency, and repealing 'An act to provide against the adulteration of food,' approved March 13, 1899," approved March 16, 1901.

On motion of Senator Wilson the bill was amended by striking out the words "the face of" in line 7 of section 2 of the printed bill.

House bill No. 54 was placed on final passage as amended, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Baker, Earles, Henrich, Moore, Smith (S. T.), Stewart, Sumner, Tucker, Van de Vanter—9.

On motion of Senator Graves the words "the same being sections 5327 and 5328 of Pierce's Code" were stricken from the title of the act.

The president appointed as a committee in accordance with Senate concurrent resolution No. 14, Senators Baker and Hammer.

On motion of Senator Rands the Senate returned to the order of business "Reports of Committees."

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 122. entitled "An act to establish a code of probate law and procedure, including administration of estates of deceased persons and repealing all existing laws relating thereto," have had the same under consideration, and we respectfully report the same back to the Senate

with the recommendation that the bill herewith transmitted be substituted therefor and that the substitute bill do pass.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, R. M. Kinnear, T. A. Hunter, John T. Welsh, Walter Christian, O. A. Tucker, Will G. Graves, S. S. Russell, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate joint memorial No. 2, referring to the opening of the south half of the Colville Indian reservation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. RASHER,
A. HEMRICH.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate joint memorial No. 3, referring to the necessity of the further improvement of the Pend d'Oreille river, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. RASHER,
A. HEMRICH.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate joint memorial No. 4, calling attention to the irrigation of lands along the Columbia river in Stevens county, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. RASHER,
A. HEMRICH.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate joint memorial No. 5, referring to the immediate improvement of the

Columbia river from Wenatchee to Kettle Falls, have had the same under consideration, and we respectfuly report the same back to the Senate with the recommendation that it do pass.

H. RASHER,
A. HEMRICH.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate joint memorial No. 6, referring to the Okanogan irrigation project, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. RASHER,
A. HEMRICH.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate joint memorial No. 7, relating to the granting of substantial recognition for services rendered during Indian uprising in 1856, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. RASHER,
A. HEMRICH.

Senate bill No. 205, by Senator Welsh: An act to amend section 6120 of Ballinger's Annotated Codes and Statutes of Washington relating to the proving and admitting to probate of foreign wills.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 206, by Senator Clapp: An act authorizing county commissioners to transfer money remaining in the county treasury for the payment of warrants that have been duly called and not presented for payment.

The bill was read the first time, and on motion of Senator Clapp the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 207, by Senator Clapp: An act authorizing county commissioners to fund indebtedness of road districts.

The bill was read the first time, and on motion of Senator Clapp the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 208, by Committee on Judiciary (substitute for Senate bill No. 122): An act to amend sections 6321, 6337 and 6340 of Ballinger's Annotated Codes and Statutes of Washington, relating to probate law and procedure.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and placed on the calendar.

At 4:20 p. m., on motion of Senator Rands the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FORTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 24, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senators Moore, Smith (S. T.), Van de Vanter, all excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

The following communications were read by the secretary:

OFFICE OF TRAFFIC DIRECTOR UNION PACIFIC RAILROAD CO., THE O. S. L. RY. CO., THE O. R. & N. Co., So. PAC. Co.
CHICAGO, ILL., February 16. 1905.

Mr. J. W. Lysons, Secretary of the Senate, Olympia, Wash.

DEAR SIR—I beg leave to acknowledge receipt of your communication of February 8th, and its enclosure, being copy of concurrent resolution relating to a 40-cent rate on lumber to Missouri river common points.

Yours very truly,

J. C. STUBBS.

CHICAGO, BURLINGTON & QUINCY RY. CO.,
OFFICE OF FIRST VICE PRESIDENT,
CHICAGO, ILL., February 18, 1905.

Mr. J. W. Lysons, Secretary Senate, State of Washington, Port Townsend, Washington.

DEAR SIR—I beg to acknowledge with thanks yours of the 8th inst. and accompanying copy of concurrent resolution relating to forty-cent rate on lumber to Missouri river common points, adopted by unanimous vote in both branches of your State Legislature.

Yours truly,

D. MILLER,
First Vice President.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 60, entitled "An act donating to the city of Seattle all the shore lands, and waters of Green Lake," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 175, entitled "An act amending section 3 of chapter 176 of

the Laws of 1903, entitled, 'An act providing for the incorporation of trust companies,'" etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 2, entitled "An act to amend an act relating to divorce," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, Charles T. Hutson.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, to whom was referred Senate bill No. 150, entitled "An act for the preservation of the salmon fishing industry of the State of Washington; providing for closed seasons; for penalties for the violation of this act, and the repeal of conflicting laws," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN T. WELSH, Chairman.

We concur in this report: Wm. Hickman Moore, A. L. Watson, E. Hammer, T. B. Sumner, T. A. Hunter.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Fisheries, to whom was referred Senate bill No. 150, entitled "An act for the preservation of the salmon fishing industry of the State of Washington; providing for closed seasons; for penalties for the violation of this act, and the repeal of conflicting laws, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments, to-wit:

Amend section 5, line 4, by inserting before the words "British Columbia," the following: "Fraser river, Straits of Georgia and Juan

de Fuca Strait, lying east of the one hundred and twenty-fifth degree of west longitude and south of the fiftieth degree of north latitude."

Also amend line 9, section 5, by substituting the word "Mission" in lieu of the words "New Westminster," and by striking out the word "the" at the end of line 9 and substituting in lieu thereof the word "that."

JOHN EARLES,
GEO. H. BAKER,
W. G. POTTS,
R. W. CONDON,
LINCOLN DAVIS.

Senator Welsh moved that the majority report be adopted.

Senator Palmer moved as a substitute that the bill be placed on general file with both reports.

The substitute was carried.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

We, the majority of your Committee on Insurance, to whom was referred Senate bill No. 143, entitled "An act amending section 2, chapter LXV of the Session Laws of 1897, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

CHARLES T. HUTSON,
GEO. H. BAKER,
J. J. SMITH,
H. RASHER,
C. F. CLAPP.

SENATE CHAMBER,
OLYMPIA, WASH., February 17, 1905.

MR. PRESIDENT:

We, the minority of your Committee on Insurance, to whom was referred Senate bill No. 143, entitled "An act amending section 2, chapter LXV of the Session Laws of 1897, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, Chairman.

I concur in this report: Lincoln Davis.

Senator Baker moved the adoption of the majority report.

Senator Veness moved as a substitute that the minority report be adopted.

The following Senators demanded a roll call: Hutson, Baker, Sumner, Welsh, Brown, Reed, Henry.

The roll was called on the question of the adoption of the substitute offered by Senator Veness and it was lost by the following vote:

Those voting yea were: Senators Boone, Bronson, Condon, Le Crone, O'Donnell, Palmer, Pogue, Potts, Reed, Ruth, Stewart, Tucker, Veness, Watson, Welsh—15.

Those voting nay were: Senators Baker, Bratt, Brown, Christian, Clapp, Earles, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Pauly, Rands, Rasher, Russell, Smith (Dr. J. J.), Stansell, Sumner, Wilson—20.

Those absent or not voting were: Senators Davis, Hemrich, Kinnear, Moore, Smith (S. T.), Van de Vanter—6.

The majority report was adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 167, entitled "An act regulating milk and cream for food," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In the title of act, after the word "purposes," insert a comma and strike the word "and;" also, after the word "penalties," strike the words "and making an appropriation for the fiscal year beginning April 1st, 1905."

Strike out section 14.

Change section 15 to section 14.

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, O. A. Tucker, C. L. Stewart, J. A. Veness, H. Rasher, C. F. Clapp, G. B. Wilson.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 190, entitled "An act for the relief of James O'Loughlin for the sale of state school lands in Skagit county, Washington, during the year 1891," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, C. L. Stewart, J. A. Veness, H Rasher, C. F. Clapp, G. B. Wilson.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 102, entitled "An act creating a lien upon real estate that is leased to saloons or places where intoxicating liquors are sold in violation of law, or for prostitution or gambling," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. C. BRATT, Chairman.

We concur in this report: A. L. Watson, E. B. Palmer, H. M. Boone, S. M. Le Crone.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 91, entitled "An act to amend section 6488 of Ballinger's Annotated Codes and Statutes of Washington, the same being section 1673 of the Code of 1881 and section 2523, 1 Hill's Code, providing for making complaint in case of an habitual drunkard," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 1 of the title of the printed bill, after the word "statutes" strike out all of the remaining title, and insert in lieu thereof the words "of the State of Washington relating to habitual drunkards."

In line 1 of section 1 of the printed bill, after the word "Ballinger" insert the word "Annotated;" and after the word "Code," in the same line, insert the words "and Statutes;" and after the word "Washington," in line 1 of section 1 of the printed bill, strike out the remainder of the section to and including the word "court," in line 4.

In line 7 of the printed bill, after the word "superior" strike out the word "judge" and insert the word "court" in lieu thereof.

In line 12 of the printed bill, after the word "peace" strike the word "takes" and insert the word "hears" in lieu thereof.

In line 12 of the printed bill, after the word "complaint" strike out the words "and the testimony he shall" and insert the words "he shall reduce the testimony to writing and."

In line 13 of the printed bill, after the word "superior," strike out the word "judge" and insert the word "court" in lieu thereof.

E. C. BRATT, Chairman.

We concur in this report: E. B. Palmer, A. L. Watson, H. M. Boone, S. M. Le Crone.

On motion of Senator Bratt the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 168, entitled "An act for the prevention, control and cure of tuberculosis, providing for investigation and report thereon by the state board of health," have had the same under consideration, and we respectfuliy report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In title of act, strike othe words "and making an appropriation therefor."

Strike out section 5 of printed bill.

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, O. A. Tucker, C. L. Stewart, J. A. Veness, H. Rasher, C. F. Clapp, G. B. Wilson.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 66, entitled "An act to create and establish an institution for defective youth," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, O. A. Tucker, C. L. Stewart, J. A. Veness, H. Rasher, C. F. Clapp, G. B. Wilson.

On motion of Senator Bratt the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred amended Senate bill No. 182, entitled "An act creating the office of public printer," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Strike section 11 of printed bill.

Make section 12 of printed bill section 11.

Make section 13 of printed bill section 12.

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, O. A. Tucker, C. L. Stewart, J. A. Veness, H. Rasher, C. F. Clapp, G. B. Wilson.

On motion of Senator Tucker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 156, entitled "An act making an appropriation for the maintenance of the Western Washington experimental station, located at Puyallup, Pierce county, Washington, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

In section 1, line 2 of the printed bill, strike the words "twenty-five," and in lieu thereof insert the word "twenty."

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, O. A. Tucker, C. L. Stewart, J. A. Veness, H. Rasher, C. F. Clapp, G. B. Wilson.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 193, entitled "An act to regulate the catching or taking of, and licensing the catching of smelt fish in the Columbia river, and its tributaries, within the State of Washington, fixing penalties, and repealing conflicting laws," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: A. L. Watson, T. A. Hunter, R. W. Condon, E. Hammer, John Earles, W. G. Potts, Geo. H. Baker, T. B. Sumner.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 8, providing that the names of State officials and of the legislators be published in the Session Laws of 1905.

Also Senate bill No. 88, relating to the practice of medicine and surgery.

Also Senate bill No. 3, relating to the adulteration of milk, with following amendments: Strike out the word "employe" in line 3, section 1 of the original bill. Amend line 3, section 1, after the word "milk." by adding the words "or any food products."

Also Senate bill No. 96, punishing those who assist in the escape of prisoners from the State penitentiary, with the following amendments:

Amend title to read as follows: "An act to amend section 28 of an act entitled 'An act to define, regulate and govern the state penitentiary and declaring an emergency,' approved March 9, 1891, being section 2757 of Ballinger's Annotated Codes and Statutes of Washington, being section 6924 of Pierce's Washington Code."

In line 5 of section 1 of the engrossed bill, being line 4 of section 1 of the printed bill, immediately following the word "weapon," strike out the comma and insert in lieu thereof the word "or."

In lines 6 and 7 of section 1 of the engrossed bill, being line 5 of section 1 of the printed bill, strike out the words "or any mechanical tool or device which can be used to attempt an escape."

In line 12 of section 1 of the engrossed bill, being line 10 of section 1 of the printed bill, immediately preceding the word "wire," strike out the word "or" and substitute a comma therefor, and immediately following the word "wire," insert the words "or mechanical tool or device which can be used to attempt an escape."

Also Senate bill No. 85, providing for sanitary regulation of hotel and restaurant kitchens with the following amendment: Strike from the bill sections 2 and 3 and number section 4 section 2.

Also Senate bill No. 9, making the drawing of a check without credits to meet it a felony, with the following amendment: In line 1 of section 1 of the engrossed bill, being the same line of the printed bill, immediately following the word "shall" insert the words "with intent to defraud."

Also Senate bill No. 43, for the relief of Frank C. Owings.

Also Senate bill No. 6, creating certain educational funds.

Also Senate bill No. 48, making an appropriation for the relief of the Capital National Bank. with the following amendments:

Strike out the words "making an appropriation" in the first line of the title, and insert after the word capitol in the last line of the title the words "and making an appropriation therefor."

Make the title read "An act for the relief of the Capitol National Bank of Olympia for money advanced for the maintenance of the State capitol, and making an appropriation therefor."

That the bill be amended by adding another section as follows:

"Sec. 2. The state auditor is hereby authorized and instructed to draw a warrant on the state treasurer in favor of the Capitol National Bank of Olympia for eighteen hundred and four and thirty-one one hundredths dollars, and the state treasurer is hereby directed to pay said warrant out of any moneys in the treasury not otherwise appropriated."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 158, entitled "An act to provide additional room for the state library, making an appropriation therefor, and declaring an emergency, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, O. A. Tucker, C. L. Stewart, J. A. Veness. H. Rasher, C. F. Clapp, G. B. Wilson.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred Senate bill No. 97, entitled "An act to require railroad companies and other common carriers to equip their flat cars used for carrying lumber," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill herewith

submitted be substituted for Senate bill No. 97, and that the same do pass.

A. HEMRICH, Chairman.

We concur in this report: W. E. Bronson, R. W. Condon, G. B. Wilson.

On motion of Senator Bronson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 133, entitled "An act authorizing the assessment of lands held or owned by the State of Washington, within the limits of diking or drainage districts in any county within the State, and providing for the payment of such assessments," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 2, title of the printed bill, after the word "state" strike the word "and." In line 3 of said title, after the word "assessments" strike the period, substitute a comma therefor, and add the following words: "and making an appropriation therefor."

In line 9, section 3 of the printed bill, after the word "shall" strike the word "at;" strike lines 10, 11, 12 and 13, and substitute the words "draw his warrant therefor against any funds appropriated for that purpose."

In line 2, section 4 of the printed bill, strike the word "paid" and substitute the word "made" therefor. In line 4 of said section strike the words "paid by the State" and substitute therefor the words "made as aforesaid, with interest and other lawful charges thereon." In line 6 of said section, between the words "land" and "and" insert the words "and shall be paid into and become a part of the general funds of the State."

Add section 5 to the printed bill as follows: "Sec. 5. When any land owned or held by this State, within the limits of any diking or drainage district in this State, has heretofore been assessed for improvements under general diking or drainage laws, and such assessment remains due and unpaid on the assessment rolls of said district the same shall be certified and paid in the manner and out of the funds in this act provided."

Add section 6 to the printed bill, as follows: "Sec. 6. For the purpose of carrying out the provisions of this act there is hereby appropriated out of the general funds of this State, not otherwise appropriated, the sum of ten thousand dollars or so much thereof as may be necessary."

E. M. RANDS, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson, E. B. Palmer, John T. Welsh, Will G. Graves, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 153, entitled "An act limiting the authority of prosecuting attorneys to compromise or dismiss any civil action or proceeding to which the State or county is a party," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Walter Christian, John T. Welsh, S. S. Russell, Will G. Graves, Charles T. Hutson, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 135, entitled "An act providing for the election of the clerk of the supreme court, fixing his term, and providing for his salary," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Walter Christian, John T. Welsh, S. S. Russell, Will G. Graves, Charles T. Hutson, E. B. Palmer, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Election and Privileges, to whom was referred Senate bill No. 76, entitled "An act relating to primary elections, and providing for party nominations by direct vote," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee.

W. A. HENRY, Chairman.

We concur in this report: A. S. Ruth, J. R. O'Donnell. E. B. Palmer, Geo. H. Baker, John Earles.

On motion of Senator Henry the report was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 115, entitled "An act relating to the drawing and summoning of grand juries," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Walter Christian, John T. Welsh, S. S. Russell, Will G. Graves, Charles T. Hutson, E. B. Palmer, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 72, entitled "An act to amend an act entitled an act to provide for and regulate the registration of voters in cities and towns and precincts having a voting population of two hundred and fifty or more," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee.

W. A. HENRY, Chairman.

We concur in this report: A. S. Ruth, J. R. O'Donnell, E. B. Palmer, Geo. H. Baker, John Earles.

On motion of Senator Henry the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 13, entitled "An act to establish an institution for the defective and feeble-minded youth of the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, O. A. Tucker, C. L. Stewart, J. A. Veness, H. Rasher, C. F. Clapp, G. B. Wilson.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 223, entitled "An act for relief of L. O. Meigs, have had the

same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, O. A. Tucker, C. L. Stewart, J. A. Veness, H. Rasher, C. F. Clapp, G. B. Wilson.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 79, entitled "An act to amend section 1 of an act entitled 'An act to amend section 1 of and adding section 2½ and section 4½ to an act entitled "An act providing for the creation of the office of state veterinary surgeon, and defining his duties,"' approved March 22, 1895," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, O. A. Tucker, C. L. Stewart, J. A. Veness, H. Rasher, C. F. Clapp, G. B. Wilson.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 23, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 225, entitled "An act for the relief of S. P. Carusi, of Clallam county, State of Washington, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

GEO. H. BAKER, Chairman.

We concur in this report: T. B. Sumner, O. A. Tucker, C. L. Stewart, J. A Veness, H. Rasher, C. F. Clapp, G. B. Wilson.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER.
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred House bill No. 115, entitled "An act to regulate plumbing in

cities having a population of ten thousand inhabitants or over, providing for the licensing of persons to carry on the business and work of plumbing, creating a board of plumbing examiners, fixing the compensation of plumbing examiners, providing a penalty for the violation hereof and repealing all acts in conflict herewith, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WALTER CHRISTIAN, Chairman.

We concur in this report: C. G. Brown, W. E. Bronson, John Earles, W. G. Potts.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred House bill No. 7, entitled "An act authorizing the assessment of lands held or owned by the State of Washington, within the limits of incorporated cities or towns, for local improvements, and providing for the payment of such assessments," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended, as follows:

Amend section 3 by adding to said section of the engrossed bill, the following: "Provided, that none of the provisions of this act shall have the effect, or be construed to have the effect to alter or modify in any particular any existing lease of any lands or property owned by the State, or release or discharge any lessee of any such lands or property from any of the obligations, covenants, or conditions of the contract under which any such lands or property are leased or held by any such lessee." WALTER CHRISTIAN, Chairman.

We concur in this report: C. G. Brown, W. E. Bronson, W. G. Potts, T. B. Sumner, John Earles.

On motion of Senator Christian the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 276, entitled "An act to amend section 1 of an act entitled "An act amending section one of an act entitled 'An act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate waterways, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed. E. M. RANDS, Chairman.

We concur in this report: Walter Christian, John T. Welsh, S. S. Russell, Will G. Graves, O. A. Tucker, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 231, entitled "An act appointing county clerks guardians of the estate of insane persons whose estates are less than two hundred dollars, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: Walter Christian, John T. Welsh, S. S. Russell, Will G. Graves, Charles T. Hutson, E. B. Palmer, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred House bill No. 248, entitled "An act amending section 4576 of Ballinger's Annotated Codes and Statutes of Washington, relating to contracts and providing that certain contracts shall be void unless in writing," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH,
S. S. RUSSELL,
CHARLES T. HUTSON,
E. B. PALMER,
O. A. TUCKER.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred House bill No. 248, entitled "An act amending section 4576 of Ballinger's Annotated Codes and Statutes of Washington, relating to contracts and providing that certain contracts shall be void unless in writing," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: Will G. Graves, Walter Christian.

Senator Palmer moved that the majority report be adopted.

Senator Rands moved, as a substitute, that the minority report be adopted.

The substitute was lost and the majority report was adopted.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 219, entitled "An act amending sections 2, 5, 7, 11 and 12 of an act entitled 'An act defining forcible entry, forcible detainer and unlawful detainer of real property, and providing remedies therefor by summary proceedings,' approved March 7, 1891," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 1, title of the printed bill, strike the figure "2" and substitute the figure "3" therefor. In the same line strike the figure "7."

Strike out section 1 of the printed bill and substitute the following:

"Section 1. That section 3 of an act entitled "An act defining forcible entry, forcible detainer and unlawful detainer of real property, and providing remedies therefor by summary proceedings," approved March 7, 1891, be amended to read as follows: Sec. 3. A tenant of real property for a term less than life is guilty of unlawful detainer, either (1) when he holds over or continues in possession, in person or by sub-tenant, of the property or any part thereof after the expiration of the term for which it is let to him. In all cases where real property is leased for a specified term or period by express or implied contract, whether written or by parol, the tenancy shall be terminated without notice at the expiration of such specified term or period; or, (2) when he having leased real property for an indefinite time, with monthly or other periodic rent reserved, continues in possession thereof, in person or by sub-tenant, after the end of any such month or period, in cases where the landlord, more than twenty days prior to the end of such month or period, shall have served notice (in manner in this act provided), requiring him to quit the premises at the expiration of such month or period. (3) When he continues in possession in person or by sub-tenant, after a default in the payment of any rent, and after a notice in writing requiring in the alternative the payment of the rent or the surrender of the detained premises, served (in manner in this act provided) in behalf of the person entitled to the rent upon the person owing the same, shall have remained uncomplied with for the period of three days after service thereof. Such notice may be served at any time after the rent becomes due; or (4), when he continues

in possession in person or by sub-tenant after a neglect or failure to keep or perform any other condition or covenant of the lease or agreement under which the property is held, including any covenant not to assign or sub-let, than one for the payment of rent, and after notice in writing requiring in the alternative the performance of such condition or covenant or the surrender of the property, served (in the manner provided in this act) upon him, and if there be a sub-tenant in actual possession of the premises, also upon such sub-tenant, shall remain uncomplied with for ten days after service thereof. Within ten days after the service of such notice the tenant, or any sub-tenant in actual occupation of the premises, or any mortgagee of the term, or other person interested in its continuance, may perform such condition or covenant and thereby save the lease from such forfeiture; or (5), when he commits or permits waste upon the demised premises, or when he sets up or carries on therein or thereon any unlawful business, or when he erects, suffers, permits or maintains on or about said premises any nuisance, and remains in possession, after service (in manner in this act provided) of three days' notice to quit upon him. (6) Any person who shall, without the permission of the owner and without having any color of title thereto, enter upon the land of another, and who shall fail or refuse to remove therefrom after three days' notice, in writing, to be served in the manner provided in this act."

Strike out section 2 of the printed bill, and substitute the following: "Sec. 2. That section 5 of said act be amended to read as follows: Sec. 5. Any notice provided for in this act shall be served either (1) by delivering a copy personally to the person entitled thereto; or (2), if he be absent from the premises unlawfully held, by leaving there a copy with some person of suitable age and discretion, and sending a copy through the mail addressed to the person entitled thereto at his place of residence; or (3), if the person to be notified be a tenant, or an unlawful holder of premises, and his place of residence is not known, or if a person of suitable age and discretion there cannot be found then by affixing a copy of the notice in a conspicuous place on the premises unlawfully held, and also delivering a copy to a person there residing, if such a person can be found, and also sending a copy through the mail addressed to the tenant, or unlawful occupant, at the place where the premises unlawfully held are situated. Service upon a sub-tenant may be made in the same manner: Provided, That in cases where the tenant, or unlawful occupant, shall be conducting a hotel, inn, lodging house, boarding house, or shall be renting rooms while still retaining control of the premises as a whole, that the guests, lodgers, boarders or persons renting such rooms shall not be considered as sub-tenants within the meaning of this act, but all such persons may be served by affixing a copy of the notice to be served on two conspicuous places upon the premises unlawfully held; and such persons shall not be necessary parties defendant in an action to recover possession of said premises.

Service of any notice provided for in this act may be had upon a corporation by delivering a copy thereof to any officer, agent, or person having charge of the business of such corporation, at the premises unlawfully held, and in case no such officer, agent or person can be found upon such premises, then service may be had by affixing a copy of such notice in a conspicuous place upon said premises and by sending a copy through the mail addressed to such corporation at the place where said premises are situated. Proof of any service under this section may be made by the affidavit of the person making the same in like manner and with like effect as the proof of service of summons in civil actions."

E. M. RANDS, Chairman.

We concur in this report: Walter Christian, John T. Welsh, S. S. Russell, Will G. Graves, Charles T. Hutson, E. B. Palmer, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 124, entitled "An act to change the seat of government."

Also House bill No. 106, for the punishment of the crime of seduction.

Also House bill No. 57, making a deficiency appropriation for the state oyster board.

Also House bill No. 16, relating to banking.

Also House bill No. 214, an appropriation for the division of documents of Washington.

Also House bill No. 131, to repeal an act for the annexing of territory to other counties.

Also House bill No. 150, relating to sidewalks in cities and towns.

Also House bill No. 90, for the relief of John H. Willms.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

SPECIAL ORDER.

The hour of 11 o'clock having arrived the Senate considered Senate bill No. 171 (same as House bill No. 249).

Senate bill No. 171: An act to prohibit boycotting, unfair lists. picketing or other interferences with the lawful business or occupation of others, and to provide a penalty therefor, was read third time.

Senator Graves moved to amend the bill by striking out section 2.

The amendment was lost.

Senator Graves moved to amend the bill by striking out the following, beginning with the word "to," in line 1 of section 3 of the printed bill, to and including the word "or" after the word "business," in line 4 of section 3 of the printed bill, and also by striking out the word "publishing," in line 4 of section 3 of the printed bill, and inserting in lieu thereof the word "publish."

The amendment was lost.

The roll was called on final passage and Senate bill No. 171 passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Clapp, Condon, Earles, Hammer, Henrich, Henry, Hunter, Kinnear, Le Crone, Palmer, Potts, Rands, Reed, Stansell, Sumner, Veness, Watson, Welsh, Wilson—22.

Those voting nay were: Senators Boone, Bratt, Christian, Davis, Graves, Kennedy, O'Donnell, Pauly, Pogue, Rasher, Russell, Ruth, Smith (Dr. J. J.), Stewart, Tucker—15.

Those absent or not voting were: Senators Hutson, Moore, Smith (S. T.), Van de Vanter—4.

On motion of Senator Palmer the rules were suspended and the bill ordered transmitted to the House immediately.

The president signed House bills Nos. 106, 57, 214, 131, 150, 90 and 16.

INTRODUCTION OF BILLS.

Senate bill No. 209, by Senator Welsh: An act appropriating the sum of five thousand dollars for the expenses in connection with the suit about to be instituted by the State of Washington against the State of Oregon to determine the boundary line between such states.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 210, by Judiciary Committee: An act repealing sections 32 and 33 of an act in relation to the insane of the State

of Washington, and making an appropriation for the maintenance thereof, and declaring an emergency, approved March 13, 1890, being sections 2677 and 2678, Ballinger's Code.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and placed on the calendar.

Senate bill No. 211, by Judiciary Committee: An act providing for the detention and commitment of the criminal insane, and declaring an emergency.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and placed on the calendar.

Senate bill No. 212, substitute for Senate bill No. 97, by Committee on Manufactures: An act requiring railroad companies and other common carriers to include in the weight of cars used for the shipment of lumber and other manufactured lumber products, the weight of the standard supports, strips, railing chains and other appliances, etc.

The bill was read the first time, and on motion of Senator Bronson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Manufactures.

Senate bill No. 213, by Senator Davis: An act to provide for the sale of beer only.

The bill was read the first time, and on motion of Senator Davis the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 214, by Senator Tucker: An act relating to revenue and taxation, amending section 5, etc.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 215, by Senators Boone, Kennedy, Watson and Henry: An act providing for the levy, collection and manner of payment of road, bridge, poll and property tax, and the manner of expenditure thereof, etc.

The bill was read the first time, and on motion of Senator Boone the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House bill No. 57, making a deficiency appropriation for the state oyster board.

The House has indefinitely postponed Senate bill No. 81, an act to regulate the practice of osteopathy.

The House has concurred in Senate amendments to House bill No. 44, providing for the incorporation of live stock insurance association.

STOREY BUCK, Clerk of the House.

House concurrent resolution No. 8, providing for the publication in the Session Laws of 1905 of the names of the state officers, members of the Legislature, etc., was read by the secretary, and on motion of Senator Rands adopted.

Senator Palmer moved that the Senate concur in the House amendments to Senate bill No. 48.

The secretary called the roll and the Senate concurred in the House amendments by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Graves, Hutson, Kinnear, Moore, Smith (Dr. J. J.), Smith (S. T.), Sumner, Van de Vanter—8.

On motion of Senator Rands the consideration of the House amendments to Senate bill No. 85 was laid over and it was ordered that the bill be placed on the calendar.

Senator Rasher moved that the Senate concur in House amendments to Senate bill No. 94.

The secretary called the roll and the Senate concurred in the amendments by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Stansell, Stewart, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Hutson, Kinnear, Moore, Smith (Dr. J. J.), Smith (S. T.), Sumner, Tucker, Van de Vanter—8.

At 11:45 a. m., on motion of Senator Palmer, a recess was taken until 2 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senators Earles, excused, Moore, excused, Smith (S. T.), excused, Van de Vanter, excused.

Senator Pogue moved that the vote by which House bill No. 92 passed the Senate be reconsidered.

The motion was carried and House bill No. 92 ordered placed on the calendar.

Engrossed copy, Senate bill No. 175, was placed on its third reading.

On motion of Senator Baker the title of the bill was amended by adding the words "and declaring an emergency."

Senator Palmer offered the following amendment:

Add to section 1 the following: "Provided, further, That any company heretofore organized under the laws of this State, and having the word "trust" as a part of its corporate name, which does not, within one year from the time this act takes effect, take advantage of this act, shall amend its articles of incorporation eliminating the word "trust" from its corporate name; and upon its failure so to do, shall not be permitted to renew its license to do business in this State."

On motion of Senator Christian the bill, with the proposed amendment, was re-referred to the Committee on Judiciary.

Senate bill No. 197: An act to confirm the title and character of conveyances of certain oyster and tide lands heretofore sold in the State of Washington, was read third time.

Senator Bratt moved that the bill be indefinitely postponed.

The motion was lost.

Senate bill No. 197 was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Christian, Clapp, Condon, Davis, Hammer, Henrich, Hutson, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Reed, Russell, Smith (Dr. J. J.), Stewart, Sumner, Tucker, Watson, Wilson—24.

Those voting nay were: Senators Bratt, Graves, Henry, Rasher —4.

Those absent or not voting were: Senators Boone, Brown, Earles, Hunter, Kennedy, Moore, Rands, Ruth, Smith (S. T.), Stansell, Van de Vanter, Veness, Welsh—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

When his name was called on final passage of Senate bill No. 197 Senator Welsh said:

MR. PRESIDENT AND MEMBERS OF THE SENATE:

Heretofore I purchased from the State of Washington under one of the acts of the Legislature of said State mentioned in Senate bill No. 197, less than one hundred acres of oyster land.

The bill under consideration is intended to cure or make perfect the title of the land to persons, who like myself, heretofore purchased from the State tide lands for oyster planting and cultivation, and therefore it may be held that under section 30 of article 2 of the constitution of the State of Washington, I would have an interest in the bill under consideration, hence I do not vote on said act or bill.

Senator Welsh also made the same statement just before the question on indefinite postponement of said bill was voted upon, and he did not vote on that question.

On motion of Senator Sumner House bill No. 164 and Senate bill No. 93 went over until Monday, February 27, 1905, retaining their respective places on the calendar.

Senate bill No. 180: An act establishing hunters' licenses, providing for the disposition of moneys collected under the provisions thereof, and fixing penalties for its violation, was read third time.

On motion of Senator Palmer the bill was amended by striking out the word "five," in line 7 of section 1 of the printed bill, and inserting in lieu thereof the word "ten."

On motion of Senator Palmer the bill was amended by striking out the word "state," after the word "the," in line 18 of section 1 of the printed bill, and the word "county" inserted in lieu thereof.

Senate bill No. 180 was placed on final passage and failed to pass by the following vote:

Those voting yea were: Senators Boone, Bronson, Christian, Condon, Davis, O'Donnell, Potts, Rands, Reed, Russell, Ruth, Stansell, Stewart, Veness, Welsh, Wilson—16.

Those voting nay were: Senators Bratt, Brown, Clapp, Graves, Henry, Hunter, Hutson, Le Crone, Palmer, Pauly, Pogue, Rasher, Smith (Dr. J. J.), Summer—14.

Those absent or not voting were: Senators Baker, Earles, Hammer, Hemrich, Kennedy, Kinnear, Moore, Smith (S. T.), Tucker, Watson, Van de Vanter—11.

Senator Palmer gave notice of a motion to reconsider the vote by which Senate bill No. 180 failed to pass the Senate.

Senate bill No. 172: An act setting aside and dedicating certain lands of the State as a public highway, was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Hammer, Hemrich, Henry, Hunter, Hutson, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Summer, Tucker, Veness, Welsh, Wilson—31.

Those absent or not voting were: Senators Baker, Davis, Earles, Graves, Kennedy, Moore, Russell, Smith (S. T.), Van de Vanter, Watson—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Kinnear Senate bill No. 181 was ordered recommitted to the Committee on Judiciary.

Senate joint memorial No. 2: Relating to the opening of the south half of the Colville Indian reservation, etc., was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown,

Christian, Clapp, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Veness, Welsh, Wilson—32.

Those absent or not voting were: Senators Baker, Earles, Kennedy, Moore, Rands, Russell, Smith (S. T.), Van de Vanter, Veness—9.

Senate joint memorial No. 3: Relating to the improvement of the Pend d'Oreille river, etc., was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Hammer, Hemrich, Henry, Hunter, Hutson, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Baker, Davis, Earles, Graves, Kennedy, Kinnear, Moore, Russell, Smith (S. T.), Van de Vanter—10.

Senate joint memorial No. 4: Relating to the irrigation of certain lands along the east bank of the Columbia river in Stevens county, etc., was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Hammer, Hemrich, Henry, Hutson, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—29.

Those absent or not voting were: Senators Baker, Davis, Earles, Graves, Hunter, Kennedy, Kinnear, Moore, O'Donnell, Russell, Smith (S. T.), Van de Vanter—12.

Senate joint memorial No. 5: Relating to the improvement of the Columbia river between Wenatchee and Kettle Falls, etc., was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Graves, Hammer, Hemrich, Henry, Hutson, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher,

Reed, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—30.

Those absent or not voting were: Senators Baker, Davis, Earles, Hunter, Kennedy, Kinnear, Moore, O'Donnell, Russell, Smith (S. T.), Van de Vanter—11.

Senate joint memorial No. 6: Relating to certain irrigation projects, etc., was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Henrich, Henry, Hutson, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Baker, Earles, Hunter, Kennedy, Kinnear, Moore, Russell, Smith (S. T.), Van de Vanter—9.

Senate joint memorial No. 7: Relating to granting of substantial recognition for services rendered during Indian uprising in 1856, etc., was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Henrich, Henry, Hunter, Hutson, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Baker, Clapp, Earles, Kennedy, Kinnear, Moore, O'Donnell, Russell, Smith (S. T.), Van de Vanter—10.

On motion of Senator Stansell the rules were suspended and Senate joint memorials Nos. 2, 3, 4, 5, 6 and 7 ordered transmitted to the House immediately.

House bill No. 28: An act to provide for the payment by the State, or counties or cities, of the premium or charge on official bonds when given by surety companies, was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Christian, Clapp, Condon, Davis, Henrich, Hutson, Kinnear,

Palmer, Pauly, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Sumner, Tucker, Watson, Welsh, Wilson—24.

Those voting nay were: Senators Bratt, Brown, Graves, Henry, Rasher, Veness—6.

Those absent or not voting were: Senators Earles, Hammer, Hunter, Kennedy, Le Crone, Moore, O'Donnell, Pogue, Smith (S. T.), Stewart, Van de Vanter—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 82: An act to change the name of the Washington agricultural experiment station and school of science to "The State College of Washington," was read third time.

Senator Bratt moved to strike out the words "State College," in line 2 of section 1 of the printed bill, and insert in lieu thereof the words "Eastern University."

The amendment was lost.

Senator Tucker moved to strike out the words "State College of Washington," in line 2 of section 1 of the printed bill, and insert in lieu thereof the words "Washington State College of Agriculture and Mechanical Arts."

The amendment was lost.

The bill was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Russell, Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—31.

Those voting nay were: Senators Boone, Bratt, O'Donnell, Reed, Ruth, Smith (Dr. J. J.)—6.

Those absent or not voting were: Senators Earles, Moore, Smith (S. T.), Van de Vanter—4.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 120: An act to establish a board of commissioners for the promotion of uniformity of legislation in the United States, was read third time and placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Henry, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Sumner, Tucker, Welsh, Wilson—29.

Those voting nay were: Senators Boone, Bratt, Veness—3.

Those absent or not voting were: Senators Earles, Hemrich, Hunter, Moore, Smith (S. T.), Stansell, Stewart, Van de Vanter, Watson—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sumner House bill No. 198 went over until Tuesday afternoon's session, February 28, 1905.

Senator Tucker moved that amended Senate bill No. 182 be placed on final passage.

Senator Palmer moved, as a substitute, that the bill be made a special order for 11 o'clock a. m. Monday, February 27, 1905.

The substitute was carried.

Senator Baker asked and was given unanimous consent to introduce a resolution out of order.

The resolution was read by the secretary as follows:

SENATE CONCURRENT RESOLUTION NO. 17.

WHEREAS, During the present session of the Legislature the hand of death has darkened the Senate chamber and removed from among us Hon. J. P. Sharp, who was at the time of his death a member of the Senate of the State of Washington, and,

WHEREAS, In both public and private life Senator Sharp was known and respected as a man of purity, integrity and honor, and,

WHEREAS, During a long public career, especially as a member of both the House of Representatives and the Senate of the Legislature of the State of Washington, Mr. Sharp left the impress of his high character on the statutes of this State, being always wise in counsel and safe and conservative in action, and,

WHEREAS, It is desired to pay fitting tribute to the memory of one who has so notably honored the State, therefore be it

Resolved by the Senate, the House of Representatives concurring, That we deplore the death of so honorable and useful a citizen as the late Senator J. P. Sharp.

Resolved, That these resolutions be spread at length on the journals of the Senate and House of Representatives and an enrolled copy be sent to the family of our late colleague; and be it further

Resolved, That a joint memorial service in honor of the late Senator J. P. Sharp be held in the chamber of the House of Representatives on Sunday, March 5, 1905, at the hour of 2 o'clock p. m.

On motion of Senator Baker the resolution was adopted.

Senator Hutson requested unanimous consent, which was granted, to return to the order of business "Introduction of Bills."

INTRODUCTION OF BILLS.

Senate bill No. 216, by Senator Hutson: An act creating a judicial district in and for the State of Washington out of the counties of Adams and Franklin, and providing for the annexation thereto of the county of Benton, if the same shall become a county, etc.

The bill was read the first time, and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 217, by Senator Clapp: An act regulating the keeping and deposit of public funds in banks by the several county treasurers of the State.

The bill was read the first time, and on motion of Senator Clapp the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate substitute bill No. 218, for Senate bill No. 78, by Senator Kennedy: An act to regulate commerce within this State, and creating a railroad commission, etc.

The bill was read the first time, and on motion of Senator Kennedy the rules were suspended, the bill was read the second time by title, ordered printed and made special order for Monday, February 27, 1905, at 3 o'clock p. m.

Senator Hutson asked unanimous consent, which was given, that the vote by which House bill No. 276 was indefinitely postponed be reconsidered.

Senator Hutson moved that the vote by which House bill No. 276 was indefinitely postponed be reconsidered.

The motion was carried.

On motion of Senator Hutson House bill No. 276 was recommitted to the Committee on Judiciary.

At 3:45 p. m., on motion of Senator Palmer, the Senate adjourned until 10:30 o'clock a. m. Monday, February 27, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
Olympia, Washington, Monday, February 27, 1905,
10:30 o'clock a. m.

The Senate was called to order at 10:30 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. W. S. Crockett offered prayer.

The secretary called the roll, all members being present except Senators Van de Vanter and Veness, who were excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

On motion of Senator Rands the following resolution was adopted:

SENATE CONCURRENT RESOLUTION NO. 18.

WHEREAS, A vital error has been discovered in Senate bill No. 19, which has been passed by both the Senate and House of Representatives at this session, and is now in the hands of the Governor; therefore, be it

Resolved, by the Senate, the House concurring, That the Governor be requested to return said Senate bill No. 19 to the House in which it originated, so that appropriate action may be had to correct said error.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

The speaker has signed House bill No. 100, an act creating the office of chaplain of the penitentiary.

Also House bill No. 44, providing for the incorporation of live stock insurance associations.

Also House bill No. 71, an act relating to elections.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MESSAGE FROM THE GOVERNOR.

To the President and Members of the Senate of the Ninth Legislature of the State of Washington:

GENTLEMEN—I return herewith Senate bill No. 124, entitled "An act to provide for submitting the question of changing the permanent location of the seat of government from Olympia, Thurston county, Washington, to Tacoma, Pierce county, Washington, to the vote of the people," having disapproved the same.

In my judgment, there is no urgent demand or necessity for the passage of an act of this character, entailing, as it necessarily must, if the election it provides for results in the removal of the capitol, an added burden of debt and expense to the State at a time when the people are barely able to provide, at the present rate of taxation, sufficient funds for the proper and necessary expenditures in maintaining the State government and its institutions.

I am profoundly impressed with the idea that when a question is submitted to the people, of such paramount importance as the one involved in the bill herewith returned, the electors should have the benefit of a clear-cut, concise, businesslike proposition accompanying the question submitted, so that they can vote intelligently thereon.

Preliminary to the submission of any question touching the change of location of the state capital, the Legislature ought, in my judgment, to adopt a measure accepting any proposition that may be made by any community of this State, contingent, of course, upon the approval of such change of location by the vote of the people.

Notwithstanding the generous offer of the tract of land known as Wright park, made by the accredited authorities of the city of Tacoma, the fact is, nevertheless, that this proposed grant cannot be used for any other purpose than a site for a capitol building. It matters but little in the cost of capitol construction and maintenance thereof whether the value of the site be great or small; the land granted can only be used for that purpose.

If this question is submitted to the people, notwithstanding the executive veto, and the people resolve the question in the affirmative, then we at once enter upon a period of capitol construction with all its attendant evils. The prospect presented by such a condition is not inviting. Where, may I ask, are the funds for the construction of such an edifice? Notwithstanding our marvelous prosperity, all will agree that it will be impossible for this Legislature, or its successor, to provide adequately for the wants and needs of the various educational, charitable and penal institutions of the State owing to the rapid growth of our population and the demands upon these various institutions. Burdens of state cannot be augmented without working a serious injury to the different counties, municipalities and school districts in their efforts to provide for their actual needs.

The question involved in the subject matter of the bill herewith returned is of higher importance and greater magnitude than that of an ordinary act of the Legislature. As the constitution requires a two-thirds vote of the people when changing the location of the seat of government, I am not doing violence to our fundamental law when I say that it is possible to read between the lines of that document the requirement that the Legislature shall not submit the question to the people, for their ratification or rejection, unless the proposition to so submit shall have received at least a two-thirds vote of the members of each branch of the Legislature. In this connection I am inclined to be in harmony with the suggestion made by an eminent member of the Pierce county bar, in a discussion before the Executive, when he stated that the subject matter of the attached bill was in legal effect a proposed amendment to the state constitution. If so, then to comply with the letter and spirit of our organic law, this measure should receive before its submission to the people the necessary two-thirds vote of each branch of the Legislature.

I believe that the best interests of the State would be subserved by postponing the consideration of this question until such time as the Legislature can submit therewith a statute that will set forth a line of policy that will commend itself to the judgment of the people and give them an intelligent comprehension of the probable expense involved in ordering such a change, the benefits they are to receive and the sources from which funds are to be provided for the construction of the building.

One objection that I urge requires no further argument than a simple recital of capitol building and capital location in this territory and State. Under the organic act creating the territory, Governor Isaac I. Stevens designated Olympia as the capital and ordered the first Legislature to convene here on January 30, 1854. The territorial Legislature subsequently confirmed the act of the first Executive by locating the capitol upon a tract now included in the city limits of this city.

A capital removal attempt followed in 1860 and 1861, but was ineffectual, and at an election held July 8, 1861, Olympia was chosen over twelve competitors. The state constitution, adopted in 1889, submitted the question of a permanent location of the seat of government to the electors. At an election held to ratify the constitution, a provision thereof required that a majority of all the votes cast should be necessary to determine the location. The result was in favor of Olympia, as against North Yakima, Ellensburg and other cities and towns.

The first state Legislature again submitted the question to the people, and Olympia received 37,382 votes; Ellensburg 7,757 votes, and North Yakima 6,258 votes. In this election, under the act of the first state Legislature, the successful capital city had to receive a two-thirds vote of all the votes cast. Even according to this rule Olympia had 3,121 votes more than were necessary. In four different sessions of the Legislature since then, laws have been enacted and appropriations made looking to the erection and maintenance of the capital in this city; the net result of these efforts being the building now occupied.

We have incurred a warrant indebtedness in the construction, and attempted construction, of capitol buildings in the sum of $676,153.79. Of this amount, $24,390.88 has been redeemed. There remains a net indebtedness in the sum of $651,762.91, on which there is an annual interest charge of $26,974.48, to be paid from the common treasury under the stipulation, however, that the aggregate interest charge shall ultimately be replaced from the proceeds of the sale of public lands donated by the United States government for state capitol purposes.

Before further capitol building is prosecuted, the people ought to know what proportion of the cost can be derived from land sales and what amount, approximately, is to be raised by general taxation.

It would seem from this summary review that this question has been amply submitted to the people already, and it is also apparent that it has been so thoroughly settled and adjudicated by the people and different legislative bodies that a rehearing is now absolutely unjustifiable. In the face of the record set forth, is it not a pertinent inquiry to ask why has this Legislature attempted to bring about a reversal of the policy and acts of its predecessors? What is the reason for this sudden and precipitate change of front? The various measures that have heretofore been enacted by the predecessors of this Legislature received the ratification and approval of the people. Why have not the advocates of the capital removal project come out in the open and favored us with some good and substantial reason for this sudden reversal of attitude and policy? Why are the people not given a good and sufficient reason for the necessity of again incurring an enormous expenditure in the construction of the capitol building? What is the reason for the sudden impulse that has apparently taken possession of the legislative mind to lay plans for another capitol building coincident,

practically, with the completion and acceptance of the building we now occupy? The people are entitled to know why those who heretofore favored the city of Olympia as the capital have suddenly changed their minds. Is it not true that the present building now occupied by the state officials and the chambers used by the different branches of the Legislature afford comfortable and convenient quarters for the transaction of public business? Ordinarily no one ought to question the wisdom of submitting any question to the people who constitute the court of last resort on all questions of public policy. A legislator or Executive who favors the submission of a question of such importance as the one involved in this bill ought to be willing to stand up and say that he is in favor of capital removal. The two propositions of removal and submission are inseparable and cannot by subtle distinctions be divorced.

I am not convinced that the passage of the bill herewith returned was the result of calm meditation and deliberation of each and all the members who voted for it. From the inception of the consideration of this measure, evidence has been constantly accumulating that this bill was forced through the Legislature by a practice bordering close to the line of intimidation and coercion. Members have freely stated that they dared not oppose this measure and expect to receive favorable consideration of meritorious bills in which their constituents were vitally interested. The highest and best interests of good government can be best subserved by interposing the executive veto to a measure where there exists in the mind of the Executive a doubt as to whether or not the bill receiving an affirmative vote was the result of voluntary deliberation on the part of the lawmakers, even though it be a question to be referred to the electors for their decision. The people are at all times entitled to express their candid, voluntary and honest judgment upon public questions and in the selection of public servants.

I ask that the Legislature be accorded at all times the same privilege and prerogative.

I cannot, therefore, for the reasons herein assigned, approve the bill.

Respectfully submitted.

ALBERT E. MEAD, Governor.

Executive Chambers, Olympia, February 27, 1905.

The roll was called on the question, "Shall the bill pass notwithstanding the veto of the Governor," and the veto was sustained by the following vote:

Those voting yea were: Senators Baker, Bronson, Christian, Clapp, Davis, Hammer, Hunter, Hutson, Kinnear, Le Crone, Pauly, Rands, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Welsh, Wilson—19.

Those voting nay were: Senators Boone, Bratt, Brown Condon, Earles, Hemrich, Henry, Kennedy, Moore, O'Donnell, Palmer, Pogue, Potts, Rasher, Reed, Russell, Ruth, Stewart, Watson—19.

Those absent or not voting were: Senators Graves, Van de Vanter, Veness—3.

SENATE CONCURRENT RESOLUTION NO. 19.

Be it resolved by the Senate of the State of Washington, the House of Representatives concurring, That the question of changing the permanent location of the seat of government of the State of Washington from Olympia, Thurston county, Washington, to Tacoma, Pierce county, Washington, be submitted to the qualified electors of the State of Washington at the general election to be held in said State on the first Tuesday after the first Monday in November, A. D. 1906, and such question shall be placed upon the official ballots in the manner required by law for the submission of amendments to the constitution.

Senator Baker moved that the resolution be read first and second time and placed on the calendar.

Senators Graves, Moore, Ruth, O'Donnell, Potts and Condon demanded a roll call on the motion.

The president ruled that the number of Senators demanding a roll call was insufficient.

The motion was carried and the resolution read first and second time and ordered placed on the calendar.

Senate bill No. 21 was signed by the president.

MESAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 21, entitled "An act providing for the appointment and election of a superior court judge for Kitsap county."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

At the request of Senator Palmer the Senate by unanimous consent returned to the first order of business.

Senator Palmer moved to reconsider the vote by which Senate bill No. 180 failed to pass the Senate.

The motion was carried and Senate bill No. 180 was ordered placed on the calendar.

SPECIAL ORDER.

The hour having arrived, 11:30 o'clock a. m., the Senate considered Senate bill No. 182 as amended. On motion of Senator Tucker section 11 was stricken out and section 12 numbered section 11.

Senator Tucker moved that the bill be placed on final passage.

On motion of Senator Moore the bill was amended by striking out the word "thereof" in line 1 of the title of the bill.

The roll was called on final passage of the bill and it passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Kennedy, Kinnear, Le Crone, O'Donnell, Pogue, Potts, Rasher, Reed, Ruth, Stewart, Tucker, Welsh, Wilson—26.

Those voting nay were: Senators Baker, Graves, Hutson, Palmer, Pauly, Rands, Russell, Smith (S. T.), Stansell, Sumner—10.

Absent or not voting were: Senators Moore, Smith (J. J.), Van de Vanter, Veness, Watson—5.

The emergency clause passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, O'Donnell, Pogue, Potts, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Tucker, Welsh, Wilson—27.

Those voting nay were: Senators Baker, Kinnear, Pauly, Rands, Smith (Dr. J. J.), Sumner—6.

Absent or not voting were: Senators Bronson, Christian, Graves, Moore, Palmer, Van de Vanter, Veness, Watson—8.

Senator Graves moves to amend the title by striking out the words "fixing the compensation thereof."

Motion carried.

There being no objection, the title of the bill as amended was ordered to stand as the title of the act.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 21, entitled "An act relating to the superior court of Snohomish and Kitsap counties, providing for the election of judges therein and providing for the appointment of a judge for Kitsap county, and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, H. Rasher, Wm. Hickman Moore.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 94, entitled "An act to prevent the fraudulent removal, sale, disposition of, encumbrance or destruction of personal property and to provide punishment for the violation thereof," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, H. Rasher, Wm. Hickman Moore.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 48, entitled "An act for the relief of the Capitol National Bank of Olympia, for money advanced for the maintenance of the state capitol and making an appropriation therefor," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, H. Rasher, Wm. Hickman Moore.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 88, entitled "An act to amend section 3 of an act entitled 'An

act to regulate the practice of medicine and surgery in the State of Washington, and to license physicians and surgeons; to punish all persons violating the provisions of this act, and to repeal all laws in conflict therewith, and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, H. Rasher, Wm. Hickman Moore.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 6, entitled "An act creating two certain funds in the state treasury, one to be known as 'The current fund of the agricultural college and school of science,' and the other to be known as "The normal school current fund,'" have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, H. Rasher, Wm. Hickman Moore.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 43, entitled "An act for the relief of Frank C. Owings, and making an appropriation therefor," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, H. Rasher, Wm. Hickman Moore.

REPORTS OF COMMITTEES ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 167, entitled "An act regulating the sale of milk, cream, etc.," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 156, entitled "An act making an appropriation for the maintenance of the Western Washington experimental station," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 91, entitled "An act to amend section 6488 of Ballinger's Codes," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 168, entitled "An act for the prevention, control and cure of tuberculosis," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 133, entitled "An act authorizing the assessment of lands held or owned by the State of Washington," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 163, entitled "An act to provide for the payment of expenses incurred in compliance with an act entitled 'An act to provide for the construction and maintenance of dikes, dams,'" etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 182, entitled "An act creating the office of public printer," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 58, entitled "An act to provide for the publication and sale of the reports of the supreme court of the State of Washington," and also Senate bill No. 141, entitled "An act to provide for the publication and sale of the Washington Supreme Court Reports," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill herewith transmitted be substituted therefor and that the substitute bill do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, S. S. Russell, John T. Welsh, Will G. Graves, Charles T. Hutson, O. A. Tucker, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 33, entitled "An act relating to the waters of

the state and riparian and other rights thereto, and the use thereof, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the joint committee bill herewith submitted be substituted therefor and that said substitute bill do pass.

CHARLES T. HUTSON, Chairman.

We concur in this report: A. L. Watson, A. S. Ruth, J. I. Pogue, Walter J. Reed, Wm. Hickman Moore.

On motion of Senator Hutson the report of the committee was adopted.

OLYMPIA, WASH., February 27, 1905.
SENATE CHAMBER,

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 189, entitled "'An act to amend section 3 of an act entitled "An act creating a state library commission, prescribing its duties, providing for the appointment of a state librarian and assistants, prescribing their duties and repealing an act entitled 'An act to promote and establish the efficiency of free public libraries and for the purpose of establishing a state library commission and appropriating two thousand dollars for traveling library fund,' approved March 2, 1901; repealing an act entitled 'An act providing for the distribution of the public documents of the state of Washington,' approved March 6, 1901; repealing an act entitled 'An act relating to the state library, and declaring an emergency,' approved March 8, 1893; repealing an act entitled 'An act to provide for the publication, distribution and sale of the Supreme Court Reports of the state of Washington, and declaring an emergency,' approved February 25, 1891; and amending section 1 and repealing sections, 3, 4, 5 and 6 of an act entitled 'An act to define the duties, and provide for assistants for, and fix the compensation of, the secretary of state,' received by the governor March 28, 1890; and repealing all other acts or parts of acts in conflict herewith, and declaring an emergency," approved March 17, 1903,, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 1, section 1, of the printed bill strike the words "the above entitled act" and substitute the words "an act entitled 'An act creating a state library commission, prescribing its duties, providing for the appointment of a state librarian and assistants, prescribing their duties and repealing an act entitled 'An act to promote and establish the efficiency of free public libraries and for the purpose of establishing a state library commission and appropriating two thousand dollars for traveling library fund,' approved March 2, 1901; repealing an act en-

titled 'An act providing for the distribution of the public documents of the state of Washington,' approved March 6, 1901; repealing an act entitled 'An act relating to the state library, and declaring an emergency,' approved March 8, 1893; repealing an act entitled 'An act to provide for the publication, distribution and sale of the Supreme Court Reports of the state of Washington, and declaring an emergency,' approved February 25, 1891; and amending section 1 and repealing sections 3, 4, 5 and 6 of an act entitled 'An act to define the duties, and provide for assistants for, and fix the compensation of, the secretary of state,' received by the Governor March 28, 1890; and repealing all other acts or parts of acts in conflict herewith, and declaring an emergency," approved March 17, 1903.

E. M. RANDS, CHAIRMAN.

We concur in this report: Charles T. Hutson, E. B. Palmer, S. S. Russell, Wm. Hickman Moore, John T. Welsh, Will G. Graves, T. A. Hunter, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 198, entitled "An act to provide for the reappraisement of the tide and shore lands on the Columbia river in front of the city of Vancouver, Washington, and granting abutting owners the preference right of purchase," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, S. S. Russell, John T. Welsh, E. B. Palmer, Will G. Graves, Charles T. Hutson, O. A. Tucker.

Senator Rands moved that the rules be suspended and Senate bill No. 198 be placed on final passage. Carried.

Senate Bill No. 198 was read the third time and placed on final passage.

The roll was called on the final passage of the bill and it passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed.

Russell, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Watson, Welsh, Wilson—36.

Absent or not voting were: Senators Baker, Hemrich, Smith (Dr. J. J.), Van de Vanter, Veness—5.

The emergency clause passed by the following vote:

Those voting yea were: Senator Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Le Crone, Moire, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner Tucker, Watson, Welsh, Wilson—37.

Absent or not voting were: Senators Hemrich, Kinnear, Van de Vanter, Veness—4.

There being no objection, the title of the bill as amended was ordered to stand as the title of the act.

On motion of Senator Rands the rules were suspended and the bill ordered transmitted to the House immediately.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 169, entitled "An act defining who may be construed to be fellow servants," have had the same under consideration, and we respectfully report the same back to the senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, S. S. Russell, John T. Welsh, E. B. Palmer, Will G. Graves, Charles T. Hutson, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on State Granted School and Tide Lands, to whom was referred Senate bill No. 160, entitled "An act validating the sale of certain State timber and timber lands," have had the same under

consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

W. G. POTTS, Chairman.

We concur in this report: John T. Welsh, J. A. Veness, O. A. Tucker, J. R. O'Donnell.

On motion of Senator Potts the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committe on Constitution and Constitutional Revision, to whom was referred Senate bill No. 23, entitled "An act providing for the amendment of section thirty-three (33) of article two (2) of the Constitution of the State of Washington, relating to the prohibition of the ownership of lands in the State of Washington by aliens," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section one (1) of the printed bill by striking out all of said section following the words "United States" in line four (4) thereof and substituting the following: "Except where acquired and used for residence, agricultural, irrigation, mining, milling, smelting or manufacturing purposes, or for purposes connected with the carrying on of those enterprises, is prohibited in this State, unless the same shall have been acquired by inheritance or devise, or under mortgage or in good faith in the ordinary course of justice in the collection of debts. A corporation, the majority of the capital stock of which is owned by aliens, shall be deemed an alien for the purposes of this section."

WILL G. GRAVES, Chairman.

We concur in this report: Walter J. Reed, J. J. Smith, S. M. Le Crone.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 59, entitled "An act providing for the amendment of section 1 of article XXI of the Constitution of the State of Washington, entitled, 'Water and Water Rights,' by enlarging the public use of the waters of this state so as to include the removal of timber products," have had the same under consideration,

and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, Chairman.

We concur in this report: S. M. Le Crone, Walter J. Reed, Wm. Hickman Moore, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., February 25, 1905.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 226, entitled "An act to amend certain sections of an act entitled 'An act to establish a general uniform system of public schools in the State of Washington,' etc., approved March 13, 1885"; said act of which this act is amendatory, being known and cited as the code of public instruction of the State of Washington, and being chapter CXVIII. of the session laws of 1897, approved March 19, 1897, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. M. LE CRONE, Chairman.

We concur in this report: J. R. O'Donnell, W. A. Henry, A. S. Ruth, Geo. A. Kennedy.

SENATE CHAMBER,
OLYMPIA, WASH., February 25, 1905.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 182, entitled "An act relating to the compulsory attendance of children between the ages of eight and fifteen years in the public schools of the State of Washington, and repealing all laws and parts of laws in conflict therewith," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

S. M. LE CRONE, Chairman.

We concur in this report: J. R. O'Donnell, W. A. Henry, A. S. Ruth, Geo. A. Kennedy.

On motion of Senator Le Crone the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 25, 1905.

MR. PRESIDENT:

We, your Committee on Dairy and Live Stock , to whom was referred House bill No. 130, entitled "An act to prohibit all live stock from running at large in any county and portion of a county in the State of Washington in which three-fourths of the lands therein are under fence, except in certain cases, and providing a penalty for the enforce-

ment of the act," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. M. BOONE, Chairman.

We concur in this report: Walter J. Reed, Fred M. Pauly, W. A. Henry, Geo. A. Kennedy.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 177, entitled "An act amending sections 215, 220, 221, 222 and 223 of the Code of Public Instruction, relating to the normal schools," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. M. LE CRONE, Chairman.

We concur in this report: J. R. O'Donnell, W. A. Henry, A. S. Ruth, Geo. A. Kennedy.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage, to whom was referred House bill No. 252, entitled "An act to amend sections 3 and 27 of an act entitled 'An act to provide for the establishment and creation of diking districts, and the construction and maintenance of a system of dikes, and to provide the means of payment thereof, and declaring an emergency,' approved March 20th, 1895, same being sections 4484 and 4508 of Pierce's Code of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. HAMMER, Chairman.

We concur in this report: S. M. Le Crone, A. S. Ruth.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate bill No. 53, entitled "An act to change the name of the Washington Agricultural Experiment Station and School of Science to the State College of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. A. HUNTER, Chairman.

We concur in this report: E. C. Bratt, G. B. Wilson, Walter Christian, O. A. Tucker, Fred M. Pauly.

On motion of Senator Le Crone the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 276, entitled "An act to amend section 1 of an act entitled "An act amending section one of an act entitled 'An act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate waterways, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways, with all land and property required therefor, providing for payment therefor, repealing an act entitled 'An act relating to and authorizing cities and towns to purchase, construct and maintain water-works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor and declaring an emergency,' approved February 10, 1893, and declaring an emergency; approved March 17, 1897, being section 1 of chapter 112 of the Session Laws of the State of Washington for 1897," approved March 14, 1899," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 33, section 1, of the printed bill strike the word "maintain" and substitute therefor the word "retain." In line 40 of said section strike the word "maintaining" and substitute therefor the word "retaining." In line 46 of said section between the words "or" and "public" insert the word "other." In line 48 of said section, strike the word "also."

In lines 1 and 2, section 2, of the printed bill strike the words "be in effect from and after its passage and approval" and substitute therefor the words "take effect immediately."

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, S. S. Russell, Will G. Graves, Charles T. Hutson, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House Bill No. 152, entitled "An act regulating automobiles, motor vehicles or motor cycles on public roads, highways, parks or parkways, streets or avenues within the state of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 5, section 2, of the printed bill after the word "act" insert the words "said certificate shall be renewed annually thereafter on or before the first day of June."

In line 1 of section 4 of the printed bill strike out the word "said" and insert in lieu thereof the word "each," and after the word "certificate" in the same line insert the words "and renewal thereof."

Add to section 10 the following: "Provided that nothing in this act shall be construed as limiting the power and authority of cities and towns to pass ordinances regulating the speed of said vehicles and to enforce and maintain ordinances, rules or regulations in addition to the provisions of this act affecting automobiles, motor vehicles or motor cycles which are offered to the public for hire."

Strike out section 12 of the printed bill, which is section 12 of engrossed bill.

Make section 13 of engrossed bill, which is section 14 of the printed bill, section 12. And amend by striking out in line 2 after the word "exceeding" the remainder of the section and substitute therefor the following: "One hundred dollars ($100.00) or by imprisonment in the county jail not exceeding ninety days or by both such fine and imprisonment."

C. L. STEWART, Chairman.

We concur in this report: M. E. Stansell, S. T. Smith, E. Hammer, Walter Christian, Geo. A. Kennedy, E. C. Bratt, Fred M. Pauly.

On motion of Senator Stewart the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1905.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 176, entitled "An act to regulate the width of tires of wagons to be used on the public highways of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. L. STEWART, Chairman.

We concur in this report: M. E. Stansell, S. T. Smith, E. Hammer, Walter Christian, Geo. A. Kennedy, E. C. Bratt, Fred M. Pauly.

INTRODUCTION OF BILLS.

Senate bill No. 219, by Senator Davis: An act for the relief of the Fairhaven Land Company, etc.

The bill was read the first time and on motion of Senator Davis the rules were suspended, the bill was read the second time by

title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 220, by Senator Hunter: An act for the relief of Mary Francis Thurston, etc.

The bill was read the first time and on motion of Senator Hunter the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 221, by Senator Kinnear: An act forbidding any person or company from producing or playing for profit any unpublished or undedicated dramatic or musical composition, etc.

The bill was read the first time and on motion of Senator Kinnear the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 222, by Senator Moore: An act providing that the prosecuting attorney of any county in this state may hold courts of inquiry before a judge of the superior court, etc.

The bill was read the first time and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 223, by Judiciary Committee: An act providing for the holding of sessions of the Supreme Court at Tacoma.

The bill was read the first time. Senator Rands moved that the rules be suspended, and the bill read the second time by title and ordered printed and placed on general file.

Senators Boone, Potts, Graves, Moore, Rasher, Ruth, Condon demanded a roll call on the motion.

The roll was called and the motion was lost by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Christian, Clapp, Davis, Graves, Hunter, Hutson, Kennedy, Kinnear, Palmer, Pauly, Pogue, Rands, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Tucker—20.

Those voting nay were: Senators Bratt, Brown, Condon, Earles, Hammer, Henry, Moore, O'Donnell, Potts, Rasher, Reed, Ruth, Stewart, Sumner, Watson, Welsh, Wilson—17.

Those absent or not voting were: Senators Hemrich, Le Crone, Van de Vanter, Veness—4.

On motion of Senator Rands the bill was ordered printed and placed on the calendar.

Senate Bill No. 224, by Senator Bratt: An act to amend section 1, chapter 6, Session Laws of 1903, allowing veterans of the civil war to peddle or auction without a license.

The bill was read the first time, and on motion of Senator Bratt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Military.

Senate bill No. 225, by Senator Pauly: An act making an appropriation for the removal of obstructions in the Columbia and Snake rivers, etc., creating a board of commissioners, etc.

The bill was read the first time and on motion of Senator Pauly the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 226, by Senator Sumner: An act to amend section 1, chapter 124, of the Session Laws of 1903, relating to assessments for local improvements, etc.

The bill was read the first time and on motion of Senator Sumner the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 227, by Senator Moore: An act providing for storage and division of water for public use, etc.

The bill was read the first time and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Irrigation and Arid Lands.

Senate bill No. 228, by Senator Reed: An act relating to irrigation and storage of waters therefor, etc.

The bill was read the first time and on motion of Senator Reed the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Irrigation and Arid Lands.

Senate bill No. 229, by Senator Sumner: An act to prevent fraud upon travelers and prescribing where, how and by whom railroad tickets may be sold, etc.

The bill was read the first time and on motion of Senator Sumner the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Railroads and Transportation.

Senate bill No. 230, by Senator Tucker: An act to amend sections 1092, 1093, 1095, 1096, 1097, 1098, 1099, 1101 of Ballinger's Annotated Codes and Statutes of Washington, relating to drains and sewers in cities of the second, third and fourth classes, etc.

The bill was read the first time and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Municipal Corporations.

Senate bill No. 231, by Senator Condon: An act authorizing the Board of Rgents of the University of Washington to establish and maintain a fish hatchery on Lake Washington.

The bill was read the first time and on motion of Senator Condon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 232, by Senator Wilson: An act to prevent the procreation of weak and diseased children.

The bill was read the first time and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry and Hygiene.

The following bills were signed by the President: House bills Nos. 44, 71, 100; Senate bills Nos. 43, 48, 88, 94 and 6.

Senate bill No. 233, by Senator Baker: An act appropriating ten thousand dollars, or so much thereof as may be necessary, for the expense of the Ninth Legislature.

The bill was read first time and on motion of Senator Baker the rules were suspended, the bill read second time by title.

On motion of Senator Baker the Senate resolved itself into a committee of the whole to consider Senate bill No. 233.

The bill was considered in the committee of the whole, Senator Boone in the chair, and reported back to the Senate with the recommendation that it pass.

On motion of Senator Boone the report of the committee was adopted.

On motion of Senator Boone the rules were suspended, the reading had in the committee of the whole considered the third reading of the bill, and the bill placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Christian, Clapp, Davis, Earles, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Moore, Pauly, Pogue, Potts, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Watson, Welsh, Wilson—29.

Those voting nay were: Senators Bratt, Graves, Palmer—3.

Those absent or not voting were: Senators Condon, Le Crone, Henrich, O'Donnell, Rands, Rasher, Tucker, Van de Vanter, Veness—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 234, by Senator Moore: An act amending the Charter of the Grand Lodge of the Fraternal Order of Eagles.

The bill was read the first time and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 235, by Senator Moore: An act to provide for the improvement of tidelands and adjacent lands in aid of commerce and navigation.

The bill was read the first time and on motion of Senator Moore the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Municipal Corporations.

Senate bill No. 236, by Senator Rands: An act making an appropriation for to aid in opening and building a road connecting the School for Defective Youths, at Vancouver, Washington, with the county road.

The bill was read the first time and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 237, by Senator Hutson: An act authorizing the execution on behalf of the State of Washington of bonds in judicial proceedings and declaring an emergency.

The bill was read the first time and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 238, by Senator Stansell: An act amending section 2 and adding sections 4 and 5 relating to duties of county assessors, county auditors, county surveyors and county commissioners, in certain cases, and providing for payment for certain surveys.

The bill was read the first time and on motion of Senator Stansell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 239, by Senator Ruth: An act to amend chapter 88 of the Session Laws of 1903.

The bill was read the first time and on motion of Senator Ruth the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 240, by Senator Ruth: An act to provide for a general and uniform series of school books.

The bill was read the first time and on motion of Senator Ruth the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

The House has passed House substitute bill No. 6, entitled "An act to establish a railroad commission.

Also Senate concurrent resolution No. 16, inviting the twenty-third international convention of Christian Endeavorers to meet in Seattle in July, 1907.

Also Senate concurrent resolution No. 17, a tribute of respect to the late Senator J. P. Sharp.

Also House bill No. 250 for the relief of holders of warrants drawn upon the normal fund.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senate joint memorial No. 18, by Senator Kinnear: Relating to the Olympic Forest Reserve in the vicinity of the Docewallups river.

The memorial was read first time and on motion of Senator Kinnear the rules were suspended, the memorial read second time by title, ordered printed and referred to the Committee on Memorials.

House bill No. 250: An act for the relief of the holders of warrants drawn upon the "state normal school fund," etc.

The bill was read the first time and on motion of Senator Christian the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House substitute bill No. 6: An act to establish a railroad commission for the State of Washington, etc.

Was read first time by title. Senator Boone moved that the bill be read second time in full.

Senator Davis moved as a substitute that the bill be referred to the Committee on Railroads and Transportation.

The following Senators demanded a roll call: Senators Boone, Reed, Stewart, Bronson, Watson, Davis, Moore, Rasher, Graves.

The roll was called and the substitute was lost by the following vote:

Those voting yea were: Senators Christian, Clapp, Davis, Hammer, Palmer, Rands, Stansell, Sumner, Welsh—9.

Those voting nay were: Senators Boone, Bratt, Bronson, Brown, Condon, Earles, Graves, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Watson, Wilson—27.

Those absent or not voting were: Senators Baker, Hemrich, Kinnear, Van de Vanter, Veness—5.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 21, entitled "An act providing for the appointment and election of a superior court judge for Kitsap county," and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., February 27, 1905.

TO THE SENATE:

I am directed by the Governor to inform you that he has this day approved Senate bill No. 21, entitled:

"An act relating to the superior court of Snohomish and Kitsap counties, providing for the election of judges therein and providing for the appointment for a judge for Kitsap county and declaring an emergency."

A. N. BROWN, Private Secretary.

At 11:55 a. m. on motion of Senator Palmer a recess was taken until 2 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senator Van de Vanter, excused.

House substitute bill No. 6 was read second time in full.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

The Speaker has appointed Messrs. Crandall, N. E. Linsley and Roth members of the committee appointed to provide a suitable gift for the United States battleship Washington.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 18 asking the Governor to return to the Senate for amendment Senate bill No. 19, and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 54, amending the act to provide against adulteration of food.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 6, entitled "An act creating two certain funds in the State treasury," etc.

Also Senate bill No. 43, entitled "An act for the relief of Frank C. Owings," etc.

Also Senate bill No. 48, entitled "An act for the relief of the Capitol National Bank," etc.

Also Senate bill No. 88, entitled "An act to amend section 3 of an act entitled 'An act to regulate the practice of medicine,'" etc.

Also Senate bill No. 94, entitled "An act to prevent the fraudulent removal, sale, diposition of personal property," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senator Moore moved that the Senate resolve itself into a committee of the whole to consider House substitute bill No. 6.

The following Senators demanded a roll call on the motion: Senators Baker, Boone, Graves, O'Donnell, Potts, Reed, Russell, Rasher, Welsh.

The roll was called and the motion carried by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Condon, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Veness, Watson, Welsh, Wilson—33.

Those voting nay were: Senators Christian, Clapp, Davis, Kinnear, Palmer, Sumner—6.

Those absent or not voting were: Senators Stansell, Van de Vanter—2.

The bill was considered in the committee of the whole, Senator Smith (J. J.) in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Smith (J. J.) the report of the committee of the whole was adopted.

Senate bill No. 241, by Senator Clapp: An act providing for the employment of convicts to establish, prepare and maintain highways and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Clapp the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate substitute bill No. 242 for Senate bill No. 33, by Committee on Irrigation and Arid Lands: An act relating to the appropriation of waters of the state for irrigation purposes, granting to the United States, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title, and ordered printed.

Senator Hutson moved that the bill be made a special order for 2:30 o'clock p. m. Tuesday, February 28, 1905.

Senator O'Donnell moved as a substitute that the bill be placed on general file.

The substitute was carried and the bill ordered placed on general file.

Senate substitute bill No. 243, for Senate bills Nos. 58 and 141, by the Judiciary Committee: An act to provide for the publication and sale of the Washington Supreme Court Reports.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 244, by Committee on Game and Game Fish: An act providing for the office and appointment of chief deputy game warden and county game wardens, etc.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

Senate bill No. 245, by Senator Pogue: An act providing for the building of a bridge across the Columbia river at or near the city of Wenatchee, and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Pogue the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate bill No. 246, by Senator Rands: An act to provide for the preservation of the forests of this state, for the prevention, control and suppression of forest fires, etc., to create a state board of forest commissioners, etc.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title, and referred to the Committee on State, Granted, School and Tide Lands.

Senate bill No. 247, by Senator Hutson: An act to amend section 1 of an act to authorize and regulate the paroling of convicts, etc.

The bill was read the first time, and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 248, by Senator Henry: An act to provide for the payment of the expenses incurred by the commissioners of the Lewis and Clark Exposition, and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Henry the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

SPECIAL ORDER.

The hour of 3 o'clock having arrived the Senate considered Senate substitute bill No. 218 for Senate bill No. 78: An act regulating commerce within this state and creating a railroad commission, etc.

The secretary read the bill third time.

Senator Baker moved that the Senate resolve itself into a committee of the whole to consider Senate substitute bill No. 218.

The motion was lost.

Senator Kennedy moved that the further consideration of the

bill be postponed until next Friday, March 3, 1905, at 10:30 o'clock a. m.

The motion was lost.

On motion of Senator Kennedy the bill was amended, as follows: by striking out after the word "reduced" in line 12 of section 20 of the printed bill, all of lines 13 and 14 and to and including the word "employes" in line 15 of section 20 of the printed bill, and insert in lieu thereof the following:

"carriage to their own officers, employes and their families, or to prevent the principal officers of any railroad company or companies from exchanging passes or reduced tickets with other railroad companies for their officers and employes, or ex-employes in search of employment. *Provided*, That such right to issue free transportation shall also include household goods and personal property."

Senate substitute bill No. 218 was placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Baker, Christian, Clapp, Davis, Hammer, Hemrich, Hutson, Kennedy, Kinnear, Palmer, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Welsh—15.

Those voting nay were: Senators Boone, Bratt, Bronson, Brown, Condon, Earles, Graves, Henry, LeCrone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Stewart, Tucker, Veness, Watson, Wilson—24.

Those absent or not voting were: Senators Hunter, Van de Vanter—2.

GENERAL FILE.

Senate bill No. 93: An act requiring railroad companies to weigh cars loaded with lumber, shingles and other forest products at junction points, and at some common point or points, and fixing penalty, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—38.

Those absent or not voting were: Senators Earles, Smith (Dr. J. J.), Van de Vanter—3.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 164: An act to amend an act relating to the incorporation of companies for the purpose of removing obstructions to navigation in rivers, etc., was read third time.

On motion of Senator Smith (S. T.) the bill was amended by adding to the end of line 33 of the printed bill the following:

Nothing in this act shall be construed to authorize the taking or damaging of any power plant constructed or being constructed for the creation or utilization of water power.

The roll was called on the final passage of the bill as amended and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—39.

Those absent or not voting were: Senators Kinnear, Van de Vanter—2.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Smith (S. T.), the rules were suspended and the bill ordered transmitted to the House immediately.

House bill No. 92: An act amending an act relating to public schools in the State of Washington, etc., was read third time.

On motion of Senator Bratt the bill was amended, by striking out section 4 of the engrossed bill and making section 5 of the engrossed bill section 4 and by striking out the colon in line 6 of section 7 and inserting a semi-colon in lieu thereof.

On motion of Senator Bratt the bill was amended by inserting in line 6 of section 7 of the printed bill, between the word "provided" and the word "that," the words "the last preceding provision shall not apply to districts that have maintained school for more than six months during the preceding school year; provided, further," and by striking from line 12 of section 7 of the printed

bill the words "provided further" and inserting in lieu thereof the words "and be it still further provided."

The roll was called on the final passage of the bill as amended and it passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Davis, Earles, Graves, Hammer, Hemrich, Hutson, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Tucker, Veness, Watson, Welsh, Wilson—30.

Those voting nay were: Senators Baker, Kinnear—2.

Those absent or not voting were: Senators Condon, Henry, Hunter, Kennedy, Le Crone, Moore, Stewart, Sumner, Van de Vanter—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 115: An act relating to the drawing and summoning of grand juries, was placed on its third reading.

On motion of Senator Welsh Senate bill No. 115 was indefinitely postponed.

On motion of Senator Palmer Senate bill No. 135 was laid over until Thursday, March 2, 1905, retaining its place on the calendar.

Senate bill No. 150: An act for the preservation of the salmon fishing industry of the State of Washington, providing for closed season, etc., was read third time and placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reed, Ruth, Stansell, Stewart, Tucker, Veness—26.

Those voting nay were: Senators Bronson, Hammer, Hemrich, Hunter, Pauly, Pogue, Russell, Smith (S. T.), Sumner, Watson, Welsh, Wilson—12.

Those absent or not voting were: Senators Kinnear, Smith (Dr. J. J.), Van de Vanter—3.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senator Moore gave notice of a motion to reconsider the vote by which Senate bill No. 150 passed the Senate.

Senator Rands moved that Senate bill No. 19 be referred to the Committee on Judiciary.

The motion was carried.

Senator Rands asked and was given unanimous consent to submit a report out of order.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 19, entitled "An act to amend section 15 of an act entitled 'An act providing for and regulating the selection of jurors in the superior courts of the State; and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court, and providing for the punishment thereof as such, and repealing all laws and parts of laws in conflict therewith,' approved March 16, 1901," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill herewith transmitted be substituted therefor and that the substitute bill do pass.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, R. M. Kinnear, Walter Christian, Wm. Hickman Moore, O. A. Tucker, T. A. Hunter, John T. Welsh, S. S. Russell, Will G. Graves, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

Senate bill No. 249, substitute for Senate bill No. 19, by Committee on Judiciary: An act providing for and regulating the selection of jurors in the superior courts of the state, etc.

The bill was read first time and on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed and made special order for 2:30 o'clock p. m., Tuesday, February 28, 1905.

Senate bill No. 250, by Senator Palmer: An act fixing the compensation of judges of the supreme court.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 153: An act limiting the authority of prosecuting attorneys to compromise or dismiss any civil action of proceeding to which the state or county is a party, was read third time and placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Baker, Earles, Hemrich, Hunter, Kinnear, Palmer, Smith (Dr. J. J.), Sumner, Van de Vanter—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

At 4:45 p. m., on motion of Senator Rands, the Senate adjourned

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-FIRST DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 28, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. W. S. Crockett offered prayer.

The secretary called the roll, all members being present except Senator Van de Vanter, excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Moore, the Senate concurred in the House amendments to Senate bill No. 85 by the following vote:

Those voting yea were: Senators Bronson, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stewart, Tucker, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Baker, Boone, Bratt, Brown, Kennedy, Smith (S. T.), Stansell, Sumner, Van de Vanter—9.

On motion of Senator Russell the Senate concurred in the House amendments to Senate bill No. 96 by the following vote:

Those voting yea were: Senators Bronson, Brown, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stewart, Tucker, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Baker, Boone, Bratt, Christian, Kennedy, Smith (S. T.), Stansell, Sumner, Van de Vanter—9.

On motion of Senator Tucker the Senate concurred in the House amendments to Senate bill No. 3 by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Stewart, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Baker, Kennedy, Kinnear, Rasher, Smith (S. T.), Stansell, Sumner, Van de Vanter—8.

On motion of Senator Tucker the Senate concurred in House amendments to Senate bill No. 9 by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hudson, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell,

Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Kennedy, Kinnear, Stansell, Van de Vanter—5.

On motion of Senator Tucker the Senate concurred in House amendments to Senate bill No. 87 by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Baker, Christian, Kennedy, Kinnear, Palmer, Stansell, Sumner, Van de Vanter—8.

RESOLUTION.

WHEREAS, The Republican party at its convention held in Tacoma in June, 1904, declared for the establishment of a state tax commission, and

WHEREAS, On the 7th day of the present session Senate bill No. 42, providing for the creation of such commission, was introduced in this body and referred to its Committee on Public Revenue and Taxation, and

WHEREAS, Such committee has failed to make any report on said bill, and

WHEREAS, The session is drawing to a close, and unless immediate action is taken upon said bill it will not be passed at this session; therefore, be it

***Resolved*, That Senate bill No. 42 be withdrawn from the Committee on Public Revenue and Taxation and placed upon the calendar for the action of the Senate in regular order thereon.**

Senator O'Donnell moves the adoption of the resolution. Senators Boone, Bratt, Condon, Graves, O'Donnell, Potts, Reed, Russell, Ruth demanded a roll call.

The roll was called and the resolution was adopted by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Clapp, Condon, Earles, Graves, Henry, Le Crone, O'Donnell, Pauly, Potts, Rasher, Reed, Russell, Ruth, Sumner, Tucker, Veness, Watson, Welsh—21.

Those voting nay were: Senators Christian, Davis, Hammer, Hunter, Hutson, Palmer, Pogue, Rands, Smith (Dr. J. J.), Smith (S. T.), Wilson—11.

Those absent or not voting were: Senators Baker, Bronson, Hemrich, Kennedy, Kinnear, Stansell, Stewart, Van de Vanter, Moore—9.

On motion of Senator Reed the following resolution was adopted:

SENATE CONCURRENT RESOLUTION NO. 20.

Resolved by the Senate, the House concurring, That a joint committee of two members of the Senate and three members of the House be appointed to arrange the details of the memorial services to be held on Sunday, March 5, 1905, for the late Senator J. P. Sharp.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 53, entitled "An act to enable counties, cities and towns to validate certain warrants and other obligations and evidence of indebtedness on the part of such counties, cities and towns, issued by the corporate authorities thereof in excess of their legal authority, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend the title by striking out the words "and declaring an emergency."

Strike out section 5 of the printed bill.

J. R. O'DONNELL, Chairman.

We concur in this report: E. Hammer, A. L. Watson, T. A. Hunter, Walter J. Reed, J. J. Smith.

On motion of Senator O'Donnell the report of the committee was adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 154, entitled "An act to secure and perpetuate liens upon chattels

for labor, skill and material expended thereon, and providing for the enforcement thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Walter Christian, Charles T. Hutson, S. S. Russell, O. A. Tucker, T. A. Hunter.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 203, entitled "An act relating to the incorporation, management and powers of companies having for their object the building of toll logging roads, chutes and other ways for the transportation of logs and other timber products, and conferring upon such companies the power of eminent domain, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 5, section 4 of the printed bill, strike the word "other" and substitute the words "ordinary railroad" therefor. In line 10 of said section strike the word "same" and substitute the word "property" therefor.

In line 1, section 5 of the printed bill, strike the words "is hereby declared to exist" and substitute the word "exists" therefor.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, Walter Christian, T. A. Hunter, Charles T. Hutson, Will G. Graves, S. S. Russell, O. A. Tucker, John T. Welsh.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 200, entitled "An act to amend section 6490 of Ballinger's Annotated Codes and Statutes of Washington, relating to habitual drunkards," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, Walter Christian, John T. Welsh, Charles T. Hutson, Will G. Graves, S. S. Russell, O. A. Tucker, T. A. Hunter.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred House bill No. 49, entitled "An act to amend section 5 of an act entitled 'An act to provide for the enrollment of the militia, for the regulation, maintenance and discipline of the National Guard of the State of Washington and for the public defense, and to amend sections 1932, 1933, 1934, 1939, 1955, 1964, 1975, 1991, 2000, 2010 and 2068, and to repeal section 1957 of Ballinger's Annotated Codes and Statutes of the State of Washington, and to amend sections 6, 7, 8 and 11 of an act entitled "An act to amend sections 1926, 1929, 1930, 1950, 1953, 1954, 1963, 1981, 1990, 1992, 1993, 2025, 2028, 2046, and 2061, of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to the military code of the State of Washington, providing for courts of inquiry, and declaring an emergency," approved March 16, 1901, and declaring an emergency,' approved March 16, 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. RASHER, Chairman.

We concur in this report: John T. Welsh, H. M. Boone, C. L. Stewart, Walter J. Reed, Walker A. Henry.

On motion of Senator Rasher the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No. 55, entitled "An act to provide for the establishment and maintenance of a branch of the state soldiers' home for honorably discharged soldiers, sailors and marines who have served the United States government in any of its wars, members of the state militia disabled while in the line of duty, and who are *bona fide* citizens of this State, and also the wives of such soldiers, sailors and marines," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Appropriations Committee.

H. RASHER, Chairman.

We concur in this report: John T. Welsh, H. M. Boone, C. L. Stewart, Walter J. Reed, Walker A. Henry, R. M. Kinnear.

On motion of Senator Rasher the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Dairy and Live Stock, to whom was referred House bill No. 157, entitled "An act relating to the sale and manufacture of dairy products," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. M. BOONE, Chairman.

We concur in this report: Fred M. Pauly, Walter J. Reed, J. I. Pogue, W. A. Henry.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No 62, entitled "An act to fix the compensation of the regimental commander of the National Guard of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. RASHER, Chairman.

We concur in this report: Walter J. Reed, Walker A. Henry, John T. Welsh, H. M. Boone, C. L. Stewart, R. M. Kinnear.

On motion of Senator Rasher the report of the committee was adopted:

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No. 80, entitled "An act to amend section 2 of an act approved March 18, 1901, (Laws 1901, p. 344), amending section 2632 of Ballinger's Annotated Codes and Statutes of Washington (Laws of 1890, p. 269, section 2), relating to the state soldiers' home," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. RASHER, Chairman.

We concur in this report: John T. Welsh, H. M. Boone, C. L. Stewart, Walter J. Reed, Walker A. Henry, R. M. Kinnear.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Military, to whom was referred Senate bill No. 130, entitled "An act to amend section 5 of an act entitled 'An act to provide for the enrollment of the militia, for the

regulation, maintenance and discipline of the National Guard of the State of Washington, and for the public defense, and to amend sections 1932, 1933, 1943, 1939, 1955, 1964, 1975, 1991, 2000, 2010 and 2068, and to repeal section 1957 of Ballinger's Annotated Codes and Statutes of the State of Washington, and to amend sections 6, 7, 8 and 11 of an act entitled "An act to amend sections 1926, 1929, 1930, 1950, 1953, 1954, 1963, 1981, 1990, 1992, 1993, 2025, 2028, 2046 and 2061 of Ballinger's Annoatoted Codes and Statutes of the State of Washington, relating to the military code of the State of Washington, providing for courts of inquiry and declaring an emergency," approved March 16, 1901, and declaring an emergency,' approved March 16, 1903," have had the same under consideration and respectfully report the same back to the Senate with the recommendation that it do not pass.

H. RASHER, Chairman.

We concur in this report: C. L. Stewart, H. M. Boone, Walker A. Henry, R. M. Kinnear.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Military, to whom was referred Senate bill No. 130, entitled "An act to amend section 5 of an act entitled 'An act to provide for the enrollment of the militia, for the regulation, maintenance and discipline of the National Guard of the State of Washington and for the public defense, and to amend sections 1932, 1933, 1943, 1939, 1955, 1964, 1975, 1991, 2000, 2010 and 2068, and to repeal section 1957 of Ballinger's Annotated Codes and Statutes of the State of Washington, and to amend sections 6, 7, 8 and 11 of an act entitled "An act to amend sections 1926, 1929, 1930, 1950, 1953, 1954, 1963, 1981, 1990, 1992, 1993, 2025, 2028, 2046 and 2061 of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to the military code of the State of Washington, providing for courts of inquiry and declaring an emergency," approved March 16, 1901, and declaring an emergency,' approved March 16, 1903," have had the same under consideration and respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH,
WALTER J. REED.

Senator Rasher moved the adoption of the majority report on Senate bill No. 130.

Senator Welsh moved as a substitute that the minority report be adopted.

The substitute was carried and the minority report adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 22, entitled "An act creating the office of state oil inspector, prescribing his duties," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 17 of section 1, printed bill, after the word "oil" strike the words "emitted an inflammable vapor," and insert in lieu thereof the words "took fire and burned."

Add to section 1, after striking the closing period and inserting a comma (,) in lieu thereof the following: "*Provided*, That whenever complaint is made to the inspector in regard to the illuminating qualities of illuminating oils so inspected, it shall be the duty of the inspector of oils to secure a sample of such oil complained of which shall be turned over to the state chemist, who shall thoroughly analyze and test said oil with reference to its illuminating quality. If after analyzing and testing said oil the state chemist shall decide that although the oil be of the required test it is yet of inferior illuminating quality then the inspector, on receipt of the chemist's report, shall brand such oil "State of Washington, Rejected, Quality Inferior," with name and date of inspection.

The state chemist is hereby constituted the referee, whose decision shall be final in all cases of dispute regarding oils.

Provided further, That the same penalties applying to oils which fail to meet the fire test of the State of Washington shall also apply to oils of inferior illuminating quality.

In line 8 of section 2, after the word "which" strike the words "emit a combustible vapor" and insert in lieu thereof the words "will take fire or burn," and after the word "of" insert the words "less than." Reference is to printed bill.

In line 9 of section 2, after the word "degrees" strike the word "of."

In line 10 of section 2 of the printed bill, after the words "in the" strike the word "flash."

In line 11 of section 2 of printed bill, after the words "be the" strike the words "Foster automatic" and insert in lieu thereof the words "open Tagliabue electric;" also after the comma following the word "cup" strike the words "with lighted wick inside the tube, and under the thimble," and insert in lieu thereof the words "or one similar in construction and results."

In line 16 of section 3 of printed bill, after the word "inspected" strike the words "for each and every person," and insert in lieu thereof the words "at any one time."

In line 19 of the same section, after the word and comma "month," strike the word "twenty-five" and insert in lieu thereof the word "thirty-

five." Also in line 20 of same section, in place of the word "seventy-five" insert the word "sixty-five."

In line 1 of section 5 of printed bill, after the word "compensation" insert the words "seventy-five per cent. of;" also in line 2 of the same section, after the word "and" strike the word "twenty-five" and insert in lieu thereof the word "ten;" also in same line and line 3 strike the words "as provided for in section 3 to be turned over," and insert in lieu thereof the word "collected;" also strike the period (.) after the word "deputies" and insert in lieu thereof a comma (,) and add the words "and shall pay twenty-five per cent of all fees collected by himself or deputies into the general fund of the state treasury."

M. E. STANSELL, Chairman.

We concur in this report: T. A. Hunter, W. E. Bronson, E. C. Bratt, A. S. Ruth, Lincoln Davis, J. I. Pogue.

On motion of Senator Stansell the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

The House has passed Senate memorial No. 2, relating to the opening of the south half of the Colville Indian reservation.

Also Senate memorial No. 5, relating to the improvement of the Columbia river between Wenatchee and Kettle Falls.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

We, your Committee on Congressional Districts, to whom was referred Senate bill No. 127, entitled "An act to apportion the State of Washington into congressional ditsricts," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended as follows and placed on general file:

In section 2, line 1, after the word "King" strike out the words "Kitsap and Pierce" and insert in lieu thereof the words "Snohomish, Island, Skagit, San Juan and Whatcom."

In section 3, strike out all words between the word "Clallam" and the word "shall" and insert in lieu thereof the following: "Jefferson,

Chehalis, Pacific, Wahkiakum, Clark, Cowlitz, Lewis, Pierce, Thurston, Mason, Kitsap, Skamania and Klickitat."

In section 4, strike out all words after the word "of" in line 1, and before the word "shall" in line 4, and insert in lieu thereof the following words: "Chelan, Kittitas, Yakima, Douglas, Okanogan, Ferry, Lincoln, Adams, Franklin, Walla Walla, Columbia, Asotin, Garfield, Whitman, Spokane and Stevens.

J. J. SMITH, Chairman.

We concur in this report: E. M. Rands, Walter J. Reed, M. E. Stansell, T. B. Sumner, S. M. Le Crone, W. A. Henry.

On motion of Senator Smith (Dr. J. J.) the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 145, entitled "An act relating to and regulating the nomination of candidates for election," have had the same under consideration, and we respectfully report back to the Senate with the recommendation that amended Senate bill No. 145, herewith submitted, be substituted therefor, and that the amended bill be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, Walter Christian, T. A. Hunter, Charles T. Hutson, Will G. Graves, S. S. Russell, John T. Welsh.

On motion of Senator Rands the report of the committee was adopted.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 27, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 189, entitled "An act to amend section 3 of an act entitled 'An act creating a state library commission,'" etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 23, entitled "An act providing for the amendment of section 33

of article 2 of the Constitution of the State of Washington," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, R. W. Condon.

GENERAL FILE.

Engrossed copy, Senate bill No. 2: An act relating to divorce, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Brown, Christian, Clapp, Condon, Earles, Graves, Hammer, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue. Potts, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Welsh, Wilson—31.

Those voting nay were: Senators Davis and Palmer—2.

Absent or not voting were: Senators Hemrich, Hunter, Kinnear, Rands, Sumner, Van de Vanter, Watson, Bronson—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 180: An act establishing hunters' licenses, etc.

On motion of Senator Palmer the bill was amended by striking out the word "ten" in line 8 of section 1 of the printed bill and inserting in lieu thereof the word "fifty."

On motion of Senator Palmer, the bill having been read third time at a previous session, the further reading of same was dispensed with.

On motion of Senator Palmer the bill was amended by striking out the word "twenty" in line 14 of section 1 of the printed bill and inserting in lieu thereof the word "fifty."

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Watson, Welsh, Wilson—31.

Those voting nay were: Senators Baker, Russell, Tucker, Veness—4.

Those absent or not voting were: Senators Hunter, Hutson, Kinnear, Moore, Sumner, Van de Vanter—6.

On motion of Senator Palmer the title of the bill was amended by striking out the word "establishing" and inserting in lieu thereof the following: "providing for the issuance of."

Senate bill No. 190: An act for the relief of James O'Loughlin, etc.

On motion of Senator Hammer the Senate resolved itself into a committee of the whole to consider Senate bill No. 190.

The bill was considered in the committee of the whole, Senator Pauly in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Pauly the report of the committee of the whole was adopted.

On motion of Senator Pauly the rules were suspended and the reading had in the committee of the whole considered the third reading of the bill.

Senate bill No. 190 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Davis, Earles, Hammer, Henrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Wilson—33.

Those absent or not voting were: Senators Clapp, Condon, Graves, Hunter, Russell, Van de Vanter, Watson, Welsh—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 193: An act to regulate the catching or taking of, and licensing the catching of smelt fish in the Columbia river, etc., was read third time.

On motion of Senator Graves the bill was amended by striking out section 6 of the printed bill.

On motion of Senator Palmer the bill was amended by inserting the words "for sale" after the word "Washington" in line 2

of section 3 and also by inserting the words "for sale" after the word "Washington" in line 3 of section 2 of the printed bill.

The roll was called on final passage and Senate bill No. 193 passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Earles, Graves, Hammer, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Boone, Davis, Hemrich, Hunter, Sumner, Van de Vanter—6.

On motion of Senator Graves the title of the bill was amended by inserting the word "and" between the words "Washington" and "fixing" in line 2 of the title of the printed bill and striking out the words "and repealing conflicting laws."

There being no objection the title of the bill as amended was ordered to stand as the title of the act.

On motion of Senator Christian it was ordered that House bill No. 7 be referred to the Committee on Judiciary retaining its place on the calendar.

House bill No. 13: An act establishing an institution for the defective and feeble-minded youth of the State of Washington, etc.

On motion of Senator Rands the Senate resolved itself into a committee of the whole to consider House bill No. 13.

The bill was considered in the committee of the whole, Senator Moore in the chair, and reported back to the senate with the recommendation that it do pass with the following amendments:

Strike out the word "male" in line 1 of section 4 of the printed bill.

Strike out the following: Beginning with the word "between" in line 1 of section 4 of the printed bill, to and including the word "years" in line 2, section 4 of the printed bill, and insert in lieu thereof the words "under the age of twenty-one years."

In section 5, line 5 of the printed bill, strike out the word "one" and insert in lieu thereof the word "two."

In section 7, line 1 of the printed bill, strike out the word "shall" and in lieu thereof insert the word "may."

In section 8, lines 4 and 5 of the printed bill, strike out the words "who are between the ages of three and twenty-one years."

In section 9, line 3 of the printed bill, after the word "section" strike out the words "of this act."

Strike out section 12 of the printed bill and make section 13 section 12.

On motion of Senator Ruth the report of the committee was adopted.

On motion of Senator Ruth the reading had in the committee of the whole was considered the third reading of the bill.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., February 27, 1905.

To the Senate:

I am directed by the Governor to inform you that he has this day approved the following measures:

Senate bill No. 6: An act creating two certain funds in the state treasury, one to be known as "the current fund of the Agricultural College and School of Science;" and the other to be known as "The Normal School current fund."

Senate bill No. 43: An act for the relief of Frank C. Owings, and making an appropriation therefor.

Senate bill No. 48: An act for the relief of the Capital National Bank of Olympia for money advanced for the maintenance of the State capitol, and making an appropriation therefor.

Senate bill No. 88: An act to amend section 3 of an act entitled "An act to regulate the practice of medicine and surgery in the State of Washington, and to license physicians and surgeons; to punish all persons violating the provisions of this act, and to repeal all laws in conflict therewith, and declaring an emergency," received by the Governor March 28, 1890, and having become a law by reason of not having been filed with the Governor's objections thereto, in the office of the secretary of state within the time prescribed by the constitution of the State, as amended by an act passed by the House of Representatives February 8, 1901, and by the Senate February 14, 1901, thereafter vetoed by the Governor, and passed over his veto by the House of Representatives and by the Senate on February 28, 1901, the same being known as section 6284 of Pierce's Code.

Senate bill No. 94: An act to prevent the fraudulent removal, sale, disposition of, encumbrance or destruction of personal property, and to provide punishment for the violation thereof.

A. N. BROWN, Private Secretary.

At 11:55 a. m., on motion of Senator Ruth, a recess was taken until 2 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senator Van de Vanter, excused.

House bill No. 13 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Wilson—36.

Those absent or not voting were: Senators Baker, Boone, Christian, Van de Vanter, Welsh—5.

The emergency clause passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Wilson—36.

Those absent or not voting were: Senators Baker, Boone, Hemrich, Van de Vanter, Welsh—5.

On motion of Senator Graves the title of the bill was stricken and the following inserted in lieu thereof:

An act providing for the care of defective and feeble minded youth, establishing an institution therefor, providing for the construction of buildings, making an appropriation and declaring an emergency.

SPECIAL ORDER.

House bill No. 198: An act relating to the exercise of the power of eminent domain, etc., was read third time.

Senator Christian moved to amend by striking out the words "milling, manufacturing" in line 8 of section 1 of the printed bill.

The amendment was lost.

On motion of Senator Rands the special order set for 2:30 o'clock this afternoon was postponed until such time as the Sen-

ate shall have finished the consideration of the bill now before the Senate.

Senator Palmer moved to amend the bill by striking out the words "so that the same shall" in line 4 of section 1 of the printed bill and also the words "and it is proposed that the same shall read when so amended" in line 5 of section 1 of the printed bill.

The motion was lost.

The roll was called on final passage of House bill No. 198 and same passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—39.

Senator Christian voted nay.

Absent or not voting: Senator Van de Vanter—1.

There being no objection the title of the bill was ordered to stand as the title of the act.

SPECIAL ORDER.

The Senate proceeded to consider Senate substitute bill No. 249, for Senate bill No. 19: An act providing for and regulating the selection of jurors in the superior courts of the state, etc., was read third time.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Welsh, Wilson—34.

Senator Boone voted nay.

Those absent or not voting were: Senators Hemrich, Hunter, Sumner, Van de Vanter, Veness, Watson—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands the bill was ordered transmitted to the House immediately, the rules being suspended.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

The House has concurred in Senate concurrent resolution No. 20, in relation to memorial services for the late Senator J. P. Sharp, and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

The House has passed House bill No. 336, entitled "An act relating to foreclosure of assessments for local improvements," etc.

Also House bill No. 199, entitled "An act to amend section 1 and adding section 1½ to an act entitled 'An act prohibiting the importation of horses,'" etc.

Also House bill No. 303, entitled "An act to exempt bequests and devises when made for certain charitable purposes," etc.

Also House bill No. 256, entitled "An act to provide for sending of non-resident insane persons to asylum," etc.

Also House bill No. 254, entitled "An act to provide for a close season for crabs," etc.

Also House bill No. 228, entitled "An act relating to the taxing of timber," etc.

Also House substitute bill No. 64, entitled "An act giving to county commissioners the power to grant certain public utility franchises," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 115: An act regulating plumbing in cities of the first-class, etc., was read third time.

Senator Graves moved to amend the bill by striking out section 14.

The motion was lost.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore,

O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Bronson, Hunter, Sumner, Van de Vanter, Veness—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

The president announced the appointment of Senators Reed and Graves as a committee in accordance with the Senate concurrent resolution relating to memorial services for the late Senator J. P. Sharp.

House bill No. 219: An act amending an act defining forcible entry, forcible detainer, and unlawful detainer of real property, etc., was read third time and placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Graves, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Baker, Davis, Earles, Hunter, Le Crone, Smith (S. T.), Sumner, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands the rules were suspended and the bill ordered transmitted to the House immediately.

House bill No. 248: An act amending section 4576 of Ballinger's Annotated Codes and Statutes of Washington relating to contracts, etc., was read third time.

The bill was placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Henry, Hutson, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Russell, Ruth, Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—30.

Those voting nay were: Senators Graves, Moore, Smith (Dr. J. J.), Kennedy—4.

Those absent or not voting were: Senators Baker, Hunter, Rands, Smith (S. T.), Sumner, Van de Vanter, Kinnear—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 208: An act to amend the law relating to probate law and procedure, etc., was read third time and placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Baker, Earles, Hammer, Hemrich, Hunter, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 210: An act to repeal certain sections of an act in relation to the care of the insane of the state of Washington, etc., was read third time and placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh—36.

Those absent or not voting were: Senators Baker, Hammer, Hunter, Van de Vanter, Wilson—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 211: An act providing for the detention and commitment of the criminal insane, and declaring an emergency was read third time and placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson,

Brown, Christian, Clapp, Condon, Davis, Graves, Hemrich, Hutson, Kennedy, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Veness, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Baker, Earles, Hammer, Hunter, Kinnear, Le Crone, Stewart, Tucker, Van de Vanter—10.

The emergency clause passed by the following vote:

Those voting yea were: Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Hemrich, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Henry, Earles, Hunter, Van de Vanter—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Moore, it was ordered that the House substitute bill No. 38 on the same subject be substituted for Senate substitute bill No. 242.

At 4:05 o'clock p. m., on motion of Senator Ruth, the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, March 1, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senator Van de Vanter, excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

The following was read by the secretary:

UNITED STATES OF AMERICA, STATE OF WASHINGTON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam H. Nichols, secretary of state of the State of Washington, do hereby certify that at a special election held in the counties of Kittitas and Chelan, on the 23rd day of February, A. D. 1905, for the election of a senator for the Thirteenth senatorial district, comprising the counties of Kittitas and Chelan, Arthur Gunn received the majority of votes cast at said election, according to the official returns of said election from said counties, now on file in this office, and is hereby declared to be the duly elected senator from said district, to fill the vacancy caused by the death of Senator J. P. Sharp.

In testimony whereof, I have hereunto set my hand and affixed hereto the Seal of the State of Washington. Done at Olympia, this first day of March, A. D. 1905.

SAM H. NICHOLS, Secretary of State.

[SEAL]

The president appointed Senators Pogue and Reed a committee to escort Senator-elect Gunn before the bar of the Senate.

Senator-elect Gunn was escorted before the bar of the Senate and the oath of office administered to him by Chief Justice Wallace Mount.

Senator Clapp moved the adoption of the following resolution:

Resolved, That the Committee on Banks and Banking be discharged from further consideration of House bill No. 155, and that the bill be placed on the calendar.

Senators Boone, Graves, Wilson, Bratt, Potts, Clapp and Earles demanded roll call.

The roll was called and the resolution was lost by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Clapp, Earles, Graves, Gunn, Hemrich, Henry, Pogue, Russell, Wilson —12.

Those voting nay were: Senators Baker, Christian, Condon, Davis, Hunter, Hutson, Palmer, Pauly, Potts, Rands, Rasher, Reed, Ruth, Stewart, Sumner, Tucker, Veness, Watson, Welsh —19.

Those absent or not voting were: Senators Bronson, Hammer, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Van de Vanter—11.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 9, entitled "An act making the drawing or uttering a bank check or draft for the payment of money without funds or money to meet the same upon presentation a felony, and prescribing a penalty therefor," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: H. Rasher, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 87, entitled "An act authorizing the Board of State Land Commissioners of the State of Washington to extend the time for the removal of timber sold on State lands," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted, GEO. A. KENNEDY, Chairman.

We concur in this report: H. Rasher, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No 3, entitled "An act prohibiting the sale of milk or any food product which formaldehyde or other poisonous substances shall have been mixed as an ingredient," etc., have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: H. Rasher, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 85, entitled "An act providing for sanitary conditions in hotel and restaurant kitchens and providing penalties for non-compliance therewith," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: H. Rasher, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Joint Memorial No. 5, have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: H. Rasher, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate Joint Memorial No. 2, relating to the opening of the south half of the Colville Indian Reservation, etc., have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: H. Rasher, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate concurrent resolution No. 7, have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: H. Rasher, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 96, entitled "An act to amend section 28 of an act entitled 'An act to define, regulate and govern the State penitentiary and declaring an emergency,' approved March 9, 1891, being section 2757 of Ballinger's Annotated Codes and Statutes of Washington, being section 6924 of Pierce's Washington Code," have compared same with the engrosed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: H. Rasher, C. G. Brown, O. A. Tucker.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 22, entitled "An act creating the office of state oil inspector," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 127, entitled "An act to apportion the State of Washington into congressional districts," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 193, entitled "An act to regulate the catching of smelt," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 147, entitled "An act to amend section 5 of an act entitled 'An act creating and providing for the enforcement of liens for labor and material,' approved February 21, 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In line 43, section 1, of the printed bill after the word "owner" insert the words "or his agent."

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, S. S. Russell, E. B. Palmer, Walter Christian, Will G. Graves, John T. Welsh, Charles T. Hutson.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER.
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 203, entitled "An act authorizing the use of 'deficiency certificates' heretofore issued for labor performed on roads in payment of road property taxes, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: S. S. Russell, John T. Welsh, Wm. Hickman Moore, Walter Christian, Will G. Graves, Charles T. Hutson, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 181, entitled "An act authorizing county commissioners to make provision for the relief and support of dependent children," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 4, section 1, of the printed bill after the word "children" insert the words "and such corporation shall have been unable at the expiration of one year after the child has been placed in its care to find a good and comfortable home for such child,".

In line 5, section 3, of the printed bill, after the word "act" add the following: "The court and commissioners shall have the right at any time to examine into the conditions and circumstances surrounding the child."

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, S. S. Russell, E. B. Palmer, Walter Christian, Will G. Graves, John T. Welsh, Charles T. Hutson, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 206, entitled "An act authorizing county commissioners to transfer moneys remaining in the county treasury for the payment of warrants that have been duly called and not presented for payment," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, S. S. Russell, E. B. Palmer, Walter Christian, Will G. Graves, John T. Welsh, Charles T. Hutson, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 216, entitled "An act creating a judicial district in and for the State of Washington out of the counties of Adams and Franklin and providing for the annexation thereto of the county of Benton, if the same

shall become a county, and providing for a judicial district composed of the counties of Yakima and Kittitas, and providing for a judicial district composed of the county of Lincoln, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In the title of the printed bill after the words "An act" strike the remainder of said title and substitute the following: "Relating to the superior court of the counties of Adams, Franklin, Yakima, Kittitas and Lincoln, and the county of Benton, if the same shall become a county, providing for the appointment and election of judges therein, and declaring an emergency."

In line 1, section 8, of the printed bill strike the words "is declared to exist" and substitute the word "exists" therefor. In lines 1 and 2 of said section strike the words "and be in force immediately upon its passage and approval" and substitute the word "immediately" therefor.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, John T. Welsh, S. S. Russell, Walter Christian, Will G. Graves, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred engrossed Senate bill No. 175, entitled "An act amending section 3 of chapter 176 of the Laws of 1903, entitled 'An act providing for the incorporation of trust companies, and defining their powers and duties,' approved March 17, 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, S. S. Russell, E. B. Palmer, Walter Christian, Will G. Graves, John T. Welsh, Charles T. Hutson, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 194, entitled "An act to amend section 4736 of Ballinger's Annotated Codes and Statutes of Washington, relating to exemptions from jury duty," have had the same under consideration, and we respectfully

report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, S. S. Russell, E. B. Palmer, Walter Christian, Will G. Graves, John T. Welsh, Charles T. Hutson, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 183, entitled an "Act act amending an act entitled 'An act to amend section 221 of an act entitled 'An act to regulate the practice and proceedings in civil actions,' approved December 1, 1881," approved March 12, 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1 of the printed bill strike all of lines 19 to 48, inclusive, and substitute the following: "(4) When the evidence is concluded, any party having an interest in the result of such trial, may, before the commencement of the argument to the jury, tender to the court instructions in writing, properly numbered, to be given to the jury, and require the court to indicate, before the beginning of the argument, such of said instructions as will be given, by writing opposite each instruction the words 'given,' 'given as modified by the court,' or 'refused.' And if the court desires, it may hear argument thereon by the respective counsel before acting on the instructions tendered. And thereupon, during the argument to the jury, any instructions so indicated to be given, may be read to the jury as the law of the case, and commented upon as such, and the court shall give the same to the jury as the law, when said jury is instructed by the court. And the court may, of its own motion, and shall upon application of either party, before the commencement of the argument, lay before the parties any instructions properly numbered, which it will give to the jury; and thereupon the same may be read in argument to the jury, and commented upon as the law in the case: Provided, however, the court may give to the jury such other written instructions, properly numbered and marked as 'given by the court,' with those already given, at the close of or during the argument, as may be necessary to fully present the law to the jury and secure the ends of justice. The instructions given may be taken out by the jury on its retirement if requested by any party. And any person excepting to the giving of any instruction, or the refusal or modifications thereof, shall not be required to file a formal bill of exceptions; but it shall be sufficient to write opposite on the margin, or at the end of each instruction the words 'refused, and excepted to,' or 'given, and excepted to,' or 'modified, and excepted to,';

which memorandum shall be signed by the judge, and dated. Either party shall also be entitled to require of the judge that all interlocutory orders, instructions or rulings upon the evidence during the progress of the trial of a cause shall be taken in shorthand or reduced to writing, together with any exceptions that may be made thereto and the same shall be made a part of the record of the case, and any refusal on the part of the judge trying the cause or making the order to comply with all or any of the provisions of this section shall be regarded error, and entitle the party whose request shall have been refused to a reversal of the judgment on appeal."

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, S. S. Russell, E. B. Palmer, Walter Christian, Will G. Graves, John T. Welsh, Charles T. Hutson, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

The Speaker has appointed Messrs. Dickson, Gleason and Ayer members of the joint committee to arrange memorial services for the late Senator J. P. Sharp.

The House has concurred in Senate amendments to House bill No. 120. to establish a board of commissioners to promote uniformity of legislation.

The House has concurred in Senate amendments to House bill No. 164, relating to driving logs and other timber products.

The House has concurred in Senate amendments to House bill No. 92, an act amending present school code.

The House has passed House substitute bill No. 96, relating to justices of the peace and constables.

Also House bill No. 161, providing for the reappraisement of tidelands adjacent to South Bend.

Also House bill No. 337, providing for the propagation of food fishes.

Also House bill No. 193, requiring sleeping car companies to pay a privilege tax.

Also House bill No. 297, an act relating to revenue and taxation.

Also House substitute bill No. 38, an act relating to the appropriation of waters of the State for irrigation purposes, etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred petition presented by Senator Hammer urging the legislature to provide for the taking of the census of the State of Washington in the year 1905 and every ten years thereafter, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on file.

WM. HICKMAN MOORE, Chairman.

We concur in this report: A. Hemrich, H. Rasher.

On motion of Senator Moore the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 213, entitled "An act to provide for the sale of beer only," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

After the word "Washington" in line 1 of section 1 in the printed bill strike to the word "May" in line 3 of section 1.

T. B. SUMNER, Chairman.

We concur in this report: J. A. Veness, A. Hemrich, M. E. Stansell, J. R. O'Donnell.

On motion of Senator Davis the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 63, entitled "An act to amend section 3522, chapter 5, of Ballinger's Code relating to liability of trespass by animals," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. E. STANSELL, Chairman.

We concur in this report: S. S. Russell, J. I. Pogue, E. C. Bratt, Fred M. Pauly.

On motion of Senator Russell the report of the committee was adopted.

Senator Moore asked, and was granted, unanimous consent to reconsider the vote by which Senate bill No. 150 passed the Senate.

Senator Moore moved that the vote by which Senate bill No. 150 passed the Senate be reconsidered.

The motion was lost.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 1, asking for the exclusion of the Quiniault Indian reservation from the Olympic forest reserve, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WM. HICKMAN MOORE, Chairman.

We concur in this report: A. Hemrich, H. Rasher.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 9, urging the ratification of international arbitration treaties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WM. HICKMAN MOORE, Chairman.

We concur in this report: A. Hemrich, H. Rasher.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred House bill No. 99, entitled "An act to amend chapter 97 of the Session Laws of 1903 providing for the incorporation and regulation of Mutual Fire Insurance Companies," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, Chairman.

We concur in this report: J. J. Smith, W. F. Clapp, H. Rasher, Lincoln Davis.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred House bill No. 140, entitled "An act amending section (1) one of an act entitled 'An act to provide for the payment of wages of labor

in lawful money of the United States and to punish violation of the same,' approved February 2, 1888, being section 3305 of Ballinger's Annotated Codes and Statutes of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LINCOLN DAVIS, Chairman.

We concur in this report: J. R. O'Donnell, R. W. Condon, C. F. Clapp, J. A. Veness, Wm. Hickman Moore, W. A. Henry.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No. 52, entitled "An act to amend section 6 of 'An act making provisions for the incorporation of cemetery associations, defining their powers, and prescribing a penalty for injury to their property,' approved March 6, 1899," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

R. M. KINNEAR, Chairman.

We concur in this report: A. L. Watson, R. W. Condon, E. Hammer, T A. Hunter.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 185, entitled "An act providing for the rate of interest to be paid on certain bonds of Island county, and owned by the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. B. SUMNER, Chairman.

We concur in this report: M. E. Stansell, J. A. Veness, A. Hemrich, J. R. O'Donnell, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 42, entitled "An act relating to the public revenue, providing for the assessment and taxation of property and creating a State tax commission," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

T. B. SUMNER, Chairman.

We concur in this report: J. A. Veness, A. Hemrich, M. E. Stansell, O. A. Tucker.

On motion of Senator Tucker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 36, entitled "An act creating a state board of tax commissioners, defining its powers and duties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on the general file with the following amendments:

Strike out "6th" sub-division in section 2 and renumber sub-divisions.

Add as section 3 the following: "The members of the State board of tax commissioners shall be ex-officio members of the State board of equalization, and the secretary of the State board of tax commissioners shall be the secretary to the State board of equalization."

In line 9, section 6 of printed bill, strike out the words "secretary and clerks if any."

In line 10, same section, strike out the words "which shall include the cost only of transportation."

T. B. SUMNER, Chairman.

We concur in this report: M. E. Stansell, J. A. Veness, A. Hemrich, O. A. Tucker.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 84, entitled "An act requiring holders of delinquent tax certificates," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee.

T. B. SUMNER, Chairman.

We concur in this report: J. A. Veness, A. Hemrich, M. E. Stansell, J. R. O'Donnell, O. A. Tucker.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 196, entitled "An act to amend section 6 of an act entitled 'An act

to create a state oyster commission, to define its duties and powers, to provide for the protection and management of the State oyster land reserves, to create a fund to be known as the oyster fund, providing for the issue of license to take oysters from the State oyster land reserves, providing for a penalty for violation of the provisions of this act, making an appropriation and declaring an emergency,' approved March 16, 1903, and relating to the disposition of and manner of sale of certain parts of tide land in State oyster land reserves," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1 of line 9 of the printed bill strike out the word "Mason."

In line 10 of section 1 insert after the word "counties" the following: "And in Hoods canal in Mason county."

O. A. TUCKER, Chairman.

We concur in this report: Geo. H. Baker, E. Hammer, A. L. Watson, W. G. Potts, Lincoln Davis, Jno. Earles.

On motion of Senator Tucker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 228, entitled "An act relating to irrigation and storage of waters therefor, and granting therefor the right to use certain bed and shore lands belonging to the State, and granting the right of eminent domain therefor with respect to property of individuals and corporations and with respect to State school, granted and shore lands," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Section 1. In line 1 of the printed bill strike out the word "whether," in line 2 strike out "or of any State or Territory of the United States," in line 3 insert comma after the third word, in line 22 after the word "is" insert the words "developed and," in line 25 insert the following after "thereof": "But this limitation shall not apply to the United States, the State of Washington, any irrigation district now or hereafter organized under the laws of this State, or any other municipal corporation of the State." In line 28 strike out the word "private" and in lieu thereof insert the words "ordinary railroad."

Section 2. In lines 2 and 3 strike out the words "or of any State or Territory of the United States and authorized to do business in this State," in line 4 strike out the word "or" after "lake" and after the word "pond" insert the words "or stream," in line 9 strike out the

word "or" after "lake" and after the word "pond" insert the words "or stream," in line 22 strike out the word "enforce" and in lieu thereof insert the words "in force," in line 27 strike out the word "or" after "lake" and after the word "pond" insert the words "or stream," in line 29 strike out the word "or" after "lake" and after the word "pond" insert the words "or stream."

After section 2 add the following sections:

Section 3. All waters impounded or stored under this act and not applied to irrigation purposes in a reasonable time and with reasonable diligence shall be considered as public waters and shall be subject to appropriation, the same as any unappropriated water in the State, and the impounding of water under this act shall not convey any right to said water, except as to such part thereof as is so applied to irrigation purposes.

Section 4. Any person, corporation or association which is entitled to the use of water for irrigation purposes may turn any quantity of such water into any natural water course or discharge such water from a natural or artificial reservoir into such natural water course, and may divert and reclaim a like quantity of water after making due allowance for evaporation and seepage, from such natural water course, subject to existing rights.

Section 5. Every person, association or corporation which is a common carrier of water at the time this act shall take effect shall remain a common carrier of water, and every person, association or corporation storing or carrying water for use or uses for irrigation purposes by others than the carrier shall be a common carrier, and subject to reasonable regulation by law.

Section 6. The owner of works for the storage, diversion or carriage of water for irrigation purposes shall be required to furnish water, not to exceed the capacity of his works, to the lands irrigable from said works to the maximum amount required for the beneficial use upon said lands and the production of crops thereon, in the absence of contract upon the following conditions, to-wit:

1. The owner of said lands shall have the right to the use of water as aforesaid upon the payment to the owner of the works or a reasonable yearly rate therefor.

2. The owner of said lands may secure a perpetual right to the use of water as aforesaid from said works by paying to the owner of said works an amount to be agreed upon by the owner of said works and the owner of said lands. The owner of said lands may pay for said right in cash or he shall be entitled to have the option to pay for the same in equal annual instalments covering a period to be agreed upon by them, but not to exceed fifteen years, deferred payments to bear interest at the then legal rate payable annually. In addition thereto he shall pay to the owner of said works an annual main-

tenance fee which shall be his just proportion of the actual cost of maintaining and operating said works.

Section 7. No common carrier of water for irrigation purposes shall be allowed to contract to, or attempt to, furnish water to and for a greater amount of land than can be supplied from his or its works with the maximum amount required by the said lands for the production of agricultural crops thereon.

Section 8. This act shall not be construed as repealing, amending, or in any manner affecting an act entitled "An act relating to the appropriation of waters of the State for irrigation purposes, granting to the United States the right to exercise the power of eminent domain in acquiring lands, water and other property for rights of way, and for reservoirs and other irrigation works, granting to the United States certain rights in State lands and in the waters of the State, relating to water users' associations, and declaring an emergency," which passed the House of Representatives February 27, 1905, and passed the Senate March 1, 1905, and in case of conflict the provisions of said former act shall prevail over the provisions of this act.

CHARLES T. HUTSON, Chairman.

We concur in this report: Wm. Hickman Moore, Walter J. Reed, J. I. Pogue.

On motion of Senator Hutson the report of the committee was adopted, and the bill ordered printed as amended.

The president announced the appointment of Senator Gunn as chairman of the Committee on Agriculture and also announced the appointment of Senator Gunn to the following committees: Corporations other than Municipal, Counties and County Boundaries, Educational Institutions, Horticulture and Forestry, Irrigation and Arid Lands, State, Granted, School and Tide Lands.

INTRODUCTION OF BILLS.

House bill No. 228: An act relating to the taxing of timber when sold separate and distinct from the land.

The bill was read the first time, and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title and referred to the Committee on Public Revenue and Taxation.

House bill No. 254: An act to provide for a closed season for crabs in the State of Washington, etc.

The bill was read the first time, and on motion of Senator

Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House substitute bill No. 64: An act giving to county commissioners the power to grant certain public utility franchises on county roads and streets outside of incorporated towns and cities, etc.

The bill was read the first time, and on motion of Senator Graves the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 256: An act to provide for the sending of non-resident insane persons to their place of residence at the expense of the State.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title and referred to the Committee on Appropriations.

House bill No. 303: An act to exempt bequests and devises when made for charitable purposes from the payment of any tax or sum under any inheritance tax law, etc.

The bill was read the first time, and on motion of Senator Pauly, the rules were suspended, the bill was read the second time by title.

Senator Pauly moved that the rules be suspended and the bill read third time in full.

The motion was lost.

On motion of Senator Pauly the bill was referred to the Committee on Judiciary.

House bill No. 199: An act to amend section 1 of and adding section 1½ to an act entitled, "An act prohibiting the importation of horses, cattle and swine, etc."

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title and referred to the Committee on Agriculture.

House bill No. 336: An act relating to foreclosure of assessments for local improvements in cities of the third and fourth classes.

The bill was read the first time, and on motion of Senator O'Donnell the rules were suspended, the bill was read the second

time by title and referred to the Committee on Municipal Corporations.

House bill No. 193: An act relating to receipts for taxes issued by county treasurers and the legal effect thereof.

Tucker the rules were suspended, the bill was read the second time by title and referred to the Committee on Public Revenue and Taxation.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

The Speaker has signed House bill No. 54, entitled "An act to amend an act to provide against the adulteration of food."

Also House bill No. 110, amending the law providing a closed season for trout fishing in Chelan county.

Also House bill No. 82, an act changing the name of the Washington Agricultural College, Experiment Station and School of Science to the State College of Washington.

Also House bill No. 28, providing for the payment of premiums on bonds of State, county and city treasurers.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 29: An act to amend an act entitled, "An act to amend section 12 of an act entitled, 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, etc.,'" and declaring an emergency.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title and referred to the Committee on Public Revenue and Taxation.

House substitute bill No. 96: An act for an act relating to justices of the peace and constables in cities of the first class, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time and referred to the Committee on Cities of the First Class.

House substitute bill No. 38: An act by Committee on Irriga-

tion and Arid Lands relating to the waters of the state and riparian and other rights thereto and the use thereof.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title and referred to the Committee on Irrigation and Arid Lands.

House bill No. 297: An act relating to revenue and taxation.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 161: An act providing for the re-appraisement of the tide lands in front of and adjacent to the city of South Bend, in the county of Pacific, State of Washington.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on State, Granted, School and Tide Lands.

House bill No. 337: An act amending sections 6, 7 and 7½ (same being sections 5278, 5279 and 5280 of Pierce's Washington Code), etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

GENERAL FILE.

On motion of Senator Graves the consideration of House bill No. 7 was postponed until tomorrow's session.

On motion of Senator Christian the consideration of House substitute bill No. 38 was postponed until the members are supplied with printed copies of the bill.

House bill No. 182: An act relating to the compulsory attendance of children between the ages of eight and fifteen years in public schools, etc., was read third time.

On motion of Senator Christian the bill was amended by striking out section 8.

On motion of Senator Christian the bill was amended as follows:

Section "9" of the printed bill made section "8." Section "10" of the printed bill made section "9." Section "11" of the printed

bill made section "10." Section "12" of the printed bill made section "11." Section "13" of the printed bill made section "12."

On motion of Senator Christian section 14 of the printed bill was stricken out.

The secretary called the roll on final passage and House bill No. 182 passed by the following vote:

Those voting yea were: Senators Boone, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Russell, Ruth, Stansell, Stewart, Tucker, Welsh, Wilson—28.

Those voting nay were: Senators Bratt, Veness, Watson—3.

Those absent or not voting were: Senators Baker, Clapp, Earles, Gunn, Hunter, O'Donnell, Rands, Smith (Dr. J. J.), Smith (S. T.), Sumner, Van de Vanter—11.

On motion of Senator Christian the title of the bill was amended by striking out the words "and repealing all laws and parts of laws in conflict herewith."

There being no objection, the title of the bill, as amended, was ordered to stand as the title of the act.

House substitute bill No. 38: An act relating to the waters of the State and riparian and other rights thereto and the use thereof, etc., was read third time.

On motion of Senator Moore the bill was amended by inserting a comma after the word "water" in line 5 of section 1 of the printed bill.

On motion of Senator Moore the bill was amended by striking out the word "right-of-way" in line 15 of section 5 of the printed bill, and inserting in lieu thereof the word "rights-of-way."

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Earles, Clapp, Hem-

rich, Hunter, O'Donnell, Rands, Sumner, Van de Vanter, Veness —9.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Watson, Wilson—32.

Those absent or not voting were: Senators Bratt, Clapp, Earles, Hunter, O'Donnell, Rands, Sumner, Van de Vanter, Veness, Welsh—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 226: An act amending "An act to establish a general uniform system of public schools," etc., was read third time.

On motion of Senator Christian the bill was amended by striking out the following: Beginning with the word "and" in line 16 of section 3 of the printed bill, to and including the word "district" in line 18 of section 3 of the printed bill.

The bill failed to pass by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Condon, Davis, Hammer, Hemrich, Henry, Kennedy, Palmer, Pauly, Potts, Reed, Russell, Ruth, Smith (S. T.), Stansell, Tucker, Wilson—20.

Those voting nay were: Senators Christian, Graves, Pogue, Veness, Watson, Welsh—6.

Those absent or not voting were: Senators Bratt, Clapp, Earles, Gunn, Hunter, Hutson, Kinnear, Le Crone, Moore, O'Donnell, Rands, Rasher, Smith (Dr. J. J.), Stewart, Sumner, Van de Vanter—16.

On motion of Senator Palmer the rules were suspended and all bills passed by the Senate yesterday and today were ordered transmitted to the House immediately.

At 11:50 o'clock a. m., on motion of Senator Palmer, a recess was taken until 1:30 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 1:30 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senators Russell, Welsh, and Senator Van de Vanter, excused.

The following bills were signed by the president: Senate bills Nos. 3, 9, 85, 87, 96; House bills Nos. 28, 54, 82, 110, and Senate Joint Memorials Nos 2 and 5.

On motion of Senator Smith (Dr. J. J.) House substitute bill No. 6 was taken up out of order.

A call of the Senate was demanded by Senators Moore, Graves and Davis.

The secretary called the roll, all members being present except Senators Van de Vanter, excused, Russell and Welsh.

On motion of Senator Baker, Senator Earles was excused.

Senator Smith (Dr. J. J.) moved that further proceedings under the call of the Senate be dispensed with.

The motion was lost.

Senators Russell and Welsh appeared and asked to be, and were, recorded as being present.

On motion of Senator Smith (Dr. J. J.) further proceedings under the call of the Senate were dispensed with.

Senator Russell requested that after today's session he be excused from further attendance until Tuesday, March 7, 1905.

On motion of Senator Davis the request was granted.

On motion of Senator Smith (Dr. J. J.) the rules were suspended and the reading had of House substitute bill No. 6 in the committee of the whole was considered the third reading of the bill.

On motion of Senator Boone the bill was amended by striking out the figures $5,000" in line 28 of section 1 of the engrossed bill, and inserting in lieu thereof the words "Four thousand dollars."

On motion of Senator Boone the bill was amended by striking out the period after the word "directors" in line 45 of section 15 of the printed bill, and inserting a comma therefor and adding

"and to employes' families and to ex-employes in search of employment, provided such carriage may extend to employes' household goods and personal effects."

On motion of Senator Boone the bill was amended by placing a period after the word "violation in line 6 of section 17 of the printed bill and striking out the remainder of section 17.

The roll was called on final passage and House substitute bill No. 6 passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those voting nay were: Senators Clapp, Hemrich, Kinnear, Rands—4.

Those absent or not voting were: Senators Earles, Van de Vanter—2.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Smith (Dr. J. J.) the rules were suspended and House substitute bill No. 6 ordered transmitted to the House immediately.

House bill No. 252: An act amending "An act to provide for the establishment and creation of dyke districts," etc., was read third time.

On motion of Senator Graves the bill was amended by striking out the comma after the word "emergency" in line 4 of section 1 of the printed bill, and inserting a semi-colon in lieu thereof.

On motion of Senator Graves the bill was amended by striking out the words (the same being section 4484 of Pierce's Code) in lines 4 and 5 of section 1 of the printed bill.

On motion of Senator Palmer the words "so as" were stricken out in line 26 of the printed bill in section 1.

On motion of Senator Palmer the words "so as" were stricken out in line 31 of section 1 of the printed bill.

On motion of Senator Palmer the words "so as" were stricken out in line 39 of section 1 of the printed bill.

On motion of Senator Graves the bill was amended by striking

out the words (the same being section 4508 of Pierce's Code aforesaid) in lines 1 and 2 of section 2 of the printed bill, and also by striking out the figures "4508" after the word "section" in line 2 of section 2 of the printed bill, and inserting in lieu thereof the figures "27."

On motion of Senator Graves the bill was amended by striking out the figures "4484" in line 6 of section 1 of the printed bill, and inserting in lieu thereof the figure "3."

The roll was called on final passage and House bill No. 252 passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Baker, Christian, Clapp, Earles, Hunter, Kinnear, Le Crone, Rands, Tucker, Van de Vanter, Veness—11.

On motion of Senator Graves the title of the bill was amended by striking out the words and figures "same being sections 4484 and 4508 of Pierce's Code of the State of Washington."

There being no objection the amended title of the bill was ordered to stand as the title of the act.

House bill No. 276: An act amending an act authorizing cities and towns to construct, condemn and purchase, acquire, add too, maintain, conduct and operate waterways, etc., was read third time.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—34.

Those absent or not voting were: Senators Boone, Christian, Clapp, Earles, Hunter, Le Crone, Palmer, Van de Vanter—8.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker Bratt, Bronson, Brown, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Boone, Christian, Clapp, Earles, Hunter, Kennedy, Kinnear, Le Crone, Palmer, Van de Vanter—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hutson the rules were suspended and the bill ordered transmitted to the House immediately.

House bill No. 157: An act amending an act relative to the sale and manufacture of dairy products, etc., was read third time.

On motion of Senator Rands the Senate resolved itself into a committee of the whole to consider House bill No. 157.

The bill was considered in the committee of the whole, Senator Boone in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

By inserting between the words "to" and "read" in line 1 of section 2 of the printed bill the words "said act which shall."

By inserting between the words "to" and "read" in line 1 of section 3 the words "said act which shall."

By inserting between the words "to" and "read" in line 1 of section 4 the words "said act which shall."

By inserting between the words "to" and "read" in line 1 of section 5 the words "said act which shall."

By inserting between the words "to" and "read" in line 1 of section 6 the words "said act which shall."

By inserting between the words "to" and "read" in line 1 of section 7 of the printed bill the words "said act which shall."

By inserting between the words "to" and "read" in line 1 of section 8 of the printed bill the words "said act which shall."

By inserting between the words "to" and "read" in line 1 of section 9 of the printed bill the words "said act which shall."

By inserting between the words "to" and "read" in line 1 of section 10 of the printed bill the words "said act which shall."

On motion of Senator Tucker the report of the committee of the whole was adopted.

On motion of Senator Tucker the rules were suspended and

the reading had in the committee of the whole considered the third reading of the bill.

The bill was placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Condon, Graves, Gunn, Hammer, Henrich Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Pauly, Pogue, Rasher, Reed, Russell, Ruth, Stewart, Tucker, Wilson—25.

Those voting nay were: Senators Baker, Christian, Clapp, Palmer, Smith (S. T.), Sumner, Watson, Welsh—8.

Those absent or not voting were: Senators Davis, Earles, Moore, O'Donnell, Rands, Stansell, Van de Vanter, Veness, Smith (Dr. J. J.)—9.

On motion of Senator Graves the title of the bill was amended by striking out the words "and to amend" in line 1 of the title and inserting in lieu thereof the word "amending."

On motion of Senator Graves the title was amended by striking out the words "of and by adding thereof" in lines 1 and 2 of the title of the printed bill, and inserting in lieu thereof the words "and amending said act by adding."

There being no objection, the title of the bill as amended was ordered to stand as the title of the act.

Mr. A. N. Brown, private secretary to the Governor, appeared before the Senate and delivered the following:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 1, 1905.

To the Honorable the Senate of the State of Washington.

GENTLEMEN: In accordance with section 11, article 3, of the Constitution of this State, I herewith transmit a list of the pardons, commutations and remissions of fines granted during my term of office.

Respectfully yours,

ALBERT E. MEAD,
Governor of Washington.

CARMINO PETTINATO—Pardoned February 17, 1905. Pettinato is a young Italian, convicted in Spokane county of rape and sentenced December 27, 1902, to serve three years in the penitentiary. His term would have expired April 28 next. On February 8, 1904, he was paroled, and shortly after receiving his liberty he married the girl upon whom

he had been charged with committing the crime, and it is represented to me that they are now living happily together. The evidence showed that the crime at the worst was a constructive offense.

SIDNEY HULL—Parole granted February 18, 1905, on the recommendation of the superintendent of the penitentiary. Hull was convicted of grand larceny in Cowlitz county and sentenced May 14, 1903, to serve five years. The superintendent reports that he has been an exemplary prisoner. Hull is a negro. He is now working as a porter in a barber shop in Walla Walla.

ALLEN BURR—Parole granted February 18, 1905, on the recommendation of the superintendent of the penitentiary. Burr was convicted of rape in Lewis county and was sentenced on June 23, 1903, to serve four years. The superintendent reports that his conduct in prison has been good and that his health conditions are such that it would be better for him and for the institution if he were paroled. Burr is now working on a farm at Waitsburg, Walla Walla county.

CIVIL RIGHTS.

Civil rights have been restored by me to the following named convicts upon recommendation of the superintendent of the penitentiary, the order being effective upon the date of their release from custody, save in one case, that of John Steele, who was released from the penitentiary May 6, 1904:

F. R. Blackburn; date of restoration, February 12, 1905.
Burt Paget; date of restoration, February 16, 1905.
Dave Carroll; date of restoration, March 4, 1905.
Otto Weisman; date of restoration, March 10, 1905.
F. H. Minch; date of restoration, March 4, 1905.
Ross Chapin; date of restoration, March 12, 1905.
William Brooks; date of restoration, March 14, 1905.
William Bolger; date of restoration, March 21, 1905.
Adolph McMinn; date of restoration, March 27, 1905.
F. Weedin; date of restoration, March 29, 1905.
John Steele; date of restoration, February 24, 1905.

House bill No. 203: An act relating to the incorporation of companies having for their object the building of toll logging roads, conferring upon such companies the power of eminent domain, etc., was read third time.

On motion of Senator Hutson the bill was amended by adding to the end of line 10 of section 4 of the printed bill the following:

"Nothing in this act shall be construed to authorize the taking or damaging of any power plant constructed or being constructed for the creation or utilization of water power."

The roll was called on final passage and House bill No. 203 passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Christian, Clapp, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Brown, Earles, Gunn, Hunter, Smith (Dr. J. J.), Van de Vanter—6.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed Russell, Ruth, Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Earles, Gunn, Hunter, Smith (Dr. J. J.), Sumner, Van de Vanter—6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Veness the rules were suspended and the bill ordered transmitted to the House immediately.

House bill No. 53: An act enabling counties, cities and towns to validate certain warrants and obligations and evidences of indebtedness issued by the corporate authorities thereof in excess of their legal authority, etc., was read third time.

On motion of Senator Graves the further consideration of House bill No. 53 was postponed until tomorrow's session.

House substitute bill No. 154: An act to perpetuate, secure and perpetuate liens upon chattels for labor, skill and money expended thereon, etc., was read third time.

Senator Welsh moved that the bill be indefinitely postponed.

The motion was lost.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone,

Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Wilson—36.

Those voting nay were: Senators Watson, Welsh—2.

Those absent or not voting were: Senators Earles, Graves, O'Donnell, Van de Vanter—4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 59: An act amending the constitution of the State relative to water and water rights, etc., was read third time.

Senator Christian moved that the bill be indefinitely postponed.

Senator O'Donnell moved as a substitute that the bill be placed on final passage.

The substitute was carried and the bill placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—39.

Senator Christian voted nay.

Those absent or not voting were: Senators Earles, Van de Vanter—2.

Senator Palmer moved to amend the title of the act by striking out the words "so as" in line 3.

The motion was lost.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Stewart House bill No. 152 was ordered recommitted to the Committee on Roads and Bridges.

On motion of Senator Palmer House bill No. 176 was indefinitely postponed.

House bill No. 177: An act amending Code of Public Instruction relative to normal schools, etc., was read third time.

Senator Palmer moved that the bill be indefinitely postponed.

The motion was lost.

The roll was called and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Brown,

Christian, Hammer, Henry, Hunter, Hutson, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Veness, Watson, Wilson—26.

Those voting nay were: Senators Palmer, Welsh—2.

Those absent or not voting were: Senators Bronson, Clapp, Condon, Davis, Earles, Graves, Gunn, Henrich, Kennedy, Kinnear, Moore, Stansell, Sumner, Van de Vanter—14.

The being no objection, the title of the bill was ordered to stand as the title of the act.

House substitute bill No. 130: An act to prohibit all live stock from running at large in any county and portion of a county in which three-fourths of the lands therein are under fence, etc., was read third time, placed on final passage and failed to pass by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Christian, Hammer, Henry, Hutson, Kennedy, O'Donnell, Pauly, Russell, Ruth, Smith (Dr. J. J.), Stewart, Tucker, Wilson—16.

Those voting nay were: Senators Baker, Le Crone, Pogue, Potts, Rands, Rasher, Reed, Veness, Welsh, Watson—10.

Those absent or not voting were: Senators Bronson, Clapp, Condon, Davis, Earles, Graves, Gunn, Henrich, Hunter, Kinnear, Moore, Palmer, Smith (S. T.), Stansell, Sumner, Van de Vanter—16.

Senator Reed gave notice of a motion to reconsider the vote by which House substitute bill No. 130 failed to pass the Senate.

Senate bill No. 80: An act to amend section 2 of an act, approved March 18, 1901, amending section 2632 of Ballinger's Code relating to the State Soldiers' Home, etc. Was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Graves, Hammer, Henrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Veness, Welsh—32.

Senator Christian voted nay.

Those absent or not voting were: Senators Baker, Earles, Gunn, Hunter, Stansell, Sumner, Van de Vanter, Wilson, Watson—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Stewart the rules were suspended and the bill ordered transmitted to the House immediately.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

The speaker has signed Senate joint memorial No. 5, relating to the improvement of the Columbia river.

Also Senate joint memorial No. 2, relating to the opening of the south half of the Colville Reservation.

Also Senate concurrent resolution No. 7, in relation to the late Thos. J. Humes.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 96, entitled "An act to amend section 28 of an act entitled 'An act to define, regulate and govern the state penitentiary,'" etc.

Also Senate bill No. 87, entitled "An act authorizing the board of state land commissioners of the State of Washington to extend the time for the removal of timber," etc.

Also Senate bill No. 85, entitled "An act providing for sanitary conditions in hotel and restaurant kitchens," etc.

Also Senate bill No. 9, entitled "An act making the drawing, or uttering of a bank check or draft for the payment of money without funds or credit, a felony," etc.

Also Senate bill No. 3, entitled "An act prohibiting the sale of milk or any food product in which formaldehyde or other poisonous substance shall have been mixed," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

At 4 o'clock p. m., on motion of Senator Smith (Dr. J. J.), the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, March 2, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senators Earles, Hunter, Russell and Van de Vanter, all of whom were excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

Senator Graves gave notice of motion to reconsider the vote by which House bill No. 226 failed to pass the Senate.

Senator Ruth gave notice of motion to reconsider the vote by which House bill No. 182 passed the Senate.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 206, entitled "An act authorizing county commissioners to transfer moneys remaining in the county treasury," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 213, entitled "An act to provide for the sale of beer only," have

compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 181, entitled "An act authorizing county commissioners to make provision for the support of dependent children," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 196, entitled "An act to amend an act to create a state oyster commission," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 183, entitled "An act to amend an act to regulate civil practice," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 216, entitled "An act relating to the superior court of the counties of Adams, Franklin, Yakima, Kittitas and Lincoln," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, Charles T. Hutson.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate bill No. 72, entitled "An act in relation to public moneys of the State of Washington; providing for State depositories, and creating a board of financial auditors," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

S. T. SMITH, Chairman.

We concur in this report: R. W. Condon, J. A. Veness, H. Rasher, Geo. H. Baker, R. M. Kinnear.

On motion of Senator Smith (S. T.) the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 246, entitled "An act to provide for the preservation of the forests of this State, for the prevention, control and suppression of forest fires, to create a state board of forest commissioners, providing for a state warden and forester, deputy fire wardens, forest rangers, defining their duties and powers, making an appropriation therefor," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be re-referred to the Committee on Appropriations.

W. G. POTTS, Chairman.

We concur in this report: J. R. O'Donnell, A. L. Watson, John T. Welsh, O. A. Tucker, S. T. Smith.

On motion of Senator Potts the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate bill No. 35, entitled "An act to amend section 105 of Hill's General Statutes and Codes of the State of Washington, being section 155 of Ballinger's Annotated Codes and Statutes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

S. T. SMITH, Chairman.

We concur in this report: R. W. Condon, J. A. Veness, H. Rasher, Geo. H. Baker, R. M. Kinnear.

On motion of Senator Smith (S. T.) the report of the committee was adopted.

SENATE CHAMBER.
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No. 224, entitled "An act to amend section 1, chapter 69, Session Laws 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

H. RASHER, Chairman.

We concur in this report: Walter J. Reed, John T. Welsh, C. L. Stewart H. M. Boone, Walker A. Henry.

On motion of Senator Rasher the report of the committee was adopted.

SENATE CHAMBER.
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Banking, to whom was referred House bill No. 155, entitled "An act to provide for State depositories, and regulate the deposits of public moneys therein," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

S. T. SMITH, Chairman.

We concur in this report: R. W. Condon, J. A. Veness, Geo. H. Baker, H. Rasher.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Banks and Banking, to whom was referred House bill No. 155, entitled "An act to provide for State depositories," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

GEO. A. KENNEDY.

Senator Smith (S. T.) moved the adoption of the majority report.

Senator Kennedy moved as a substitute that the minority report be adopted.

Senators Boone, Bratt, Kennedy, Pogue, Bronson, Graves, Christian and Rasher demanded a roll call.

The roll was called and the substitute was lost by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Graves, Gunn, Hemrich, Henry, Kennedy, Pogue, Reed, Smith (Dr. J. J.), Wilson—15.

Those voting nay were: Senators Baker, Condon, Davis, Hammer, Hutson, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Potts, Rands, Rasher, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh—22.

Those absent or not voting were: Senators Earles, Hunter, Moore, Russell, Van de Vanter—5.

The majority report was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 45, entitled "An act to amend section 6 of an act entitled 'An act making provisions for the incorporation of cemetery associations,'" etc.

Also Senate bill No. 101, entitled "An act amending section 7109 of Ballinger's Annotated Codes and Statutes of Washington, relating to petit larceny and providing a penalty therefor," with the following amendment: Amend by striking out all of section 2.

Also Senate bill No. 95, entitled "An act amending an act relative to trials of persons injured in their persons, property, or means of support by intoxicated persons.

Also Senate bill No. 60, entitled "An act donating to the city of Seattle all the shore lands and waters of Green Lake," etc., with the following amendment: In line 2 of section 2 of the engrossed bill, after the word "purposes" insert the following: "including suitable street railway facilities," inserting a comma in place of a period after the word "purposes."

Also Senate bill No. 67, entitled "An act to enable coroners of counties having a population of 50,000 or more inhabitants to appoint deputy coroners," etc.

Also Senate bill No. 129, entitled "An act to amend sections 1, 2, 3 and 6 of an act entitled 'An act to provide for the extermination of coyotes and wolves,'" etc.

Also Senate bill No. 90, entitled "An act to provide a system of registration of births and deaths," etc., with the following amendments: In line 3 of section 5, after the word "physician" insert the words "or

if a regular physician be not present at the time of death, then by some adult person, parent or relative present at the time of death." Insert in section 11, line 20 of the original bill, after the word "provided" the words "or refuse or neglect to send any original certificate of death to the secretary of the state board of health."

Also Senate bill No. 112, entitled "An act to establish a fish hatchery on the Chehalis river," etc., with the following amendments: Amend the title by striking out after the word "Washington" the words "and making an appropriation therefor." Also strike out all of section 3."

Also Senate bill No. 107, entitled "An act to establish and maintain a fish hatchery on the Humptulips river," etc., with the following amendments: Amend the title by striking out after the word "Washington" the words "and making an appropriation therefor." Also strike out all of section 3.

Also Senate bill No. 184, entitled "An act making appropriations for the salaries and expenses of the state board of control," etc., with the following amendments:

Amend section 1 by inserting between lines 50 and 51 of the printed bill the following: "For state institution for feeble minded, for maintenance, $35,000.00. Also under head of "State School for Defective Youth," amend by adding line 50¾ (printed bill) the following: "For gymnasium, three hundred dollars." Also after line 30 of printed bill add line 30½ to read as follows: "For chaplain salary for ensuing 2 years, twenty-four hundred dollars ($2400). Also amend "Incidentals" by substituting the words "deceased veterans" for "old soldiers," in line 4.

Also Senate bill No. 20, entitled "An act to provide for the marking and labeling of the vial, box, can or parcel containing any explosive substance," with the following amendments:

In line 2 of the title in the original bill, being line 1 in the printed bill, strike out the words "explosive substances" and insert therefor the words "gasoline or benzine." Also in line 2 of section 1 in the original bill, being line 2 in the printed bill, strike out the words "explosive substances" and insert therefor the words "gasoline or benzine."

Also House bill No. 262, entitled "An act to amend sections 1 and 8 of an act entitled "An act creating a bureau of labor," etc.

Also House bill No. 129, entitled "An act providing for the protection and health of the employes in factories," etc.

Also Senate bill No. 154, entitled "An act to prohibit the advertising of treatment or cure of certain diseases," with the following amendments:

Amend the title by inserting between the words "of" and "disease" the word "venereal," and strike out of line 1 of the title the words "of the sexual organs." Amend line 1 of section 1 by inserting the word "venereal" between the words "cure" and "diseases." Also strike out of line 2 of section 1 the words "of the sexual organs, or any disease or

disorder of the sexual organs," and substitute in lieu thereof the words "or any venereal disease or disorder." Also strike out of line 4 of section 1 of the printed bill, being line 6 of section 1 of the original bill the words "editor, business manager or other officer" after the word "any," and insert therefor the words "owner or managing officer."

Also Senate bill No. 185, entitled "An act making appropriations for certain deficiencies for fiscal periods prior to March 31, 1905," etc., with the following amendments:

Amend by striking in first item of Senate bill the figures $1800 and substitute $1000. Strike out in second item of Senate bill the figures $4500, and insert in lieu thereof $4000. Strike out in third item of Senate bill the figures $3000, and insert $2000. Strike out in Senate bill fourth item, $2500, and insert $1500. Also amend twelfth item, line 18 of the printed bill, being the last amount, by changing 1500 to read 1505.37.

Also Senate bill No. 121, entitled "An act appropriating the sum of $6000 for the use and benefit of The Florence Crittenton and The White Shield Home," etc., with the following amendment:

Add another section, to be numbered 2, to read as follows: "Section 2. The state auditor is hereby directed to issue his warrants for said sums and the state treasurer is hereby directed to pay same upon presentation."

Senate bill No. 177, entitled "An act to create the county of Benton, subject to the requirements of the State constitution," etc.

Also Senate substitute bill No. 188, entitled "An act providing for the irrigation, improvement and sale of lands granted to the State of Washington," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred House bill No. 124, entitled "An act in relation to savings banks, savings and loan societies, and institutions in which deposits of money are made and interest paid thereon," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass

S. T. SMITH, Chairman.

We concur in this report: Geo. H. Baker, R. M. Kinnear, Geo. A. Kennedy, H. Rasher.

SENATE CHAMBER,
OLYMPIA, WASH., February 28, 1905.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No. 239, entitled "An act to amend section 340 of Ballinger's Annotated Codes and Statutes of the State of Washington, same being section 4121 of Pierce's Washington Code, relating to mileage and expenses of county commissioners," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In line 4 of section 1, engrossed bill, strike out the last word "eight" (the same being in line 3 of printed bill), and insert in lieu thereof the word "eighth."

In line 1 of second paragraph of engrossed bill insert the word "the" between the words "of" and "board."

R. M. KINNEAR, Chairman.

We concur in this report: R. W. Condon, E. Hammer, T. A. Hutson, A. L. Watson.

On motion of Senator Rands the report of the committee was re-committed to the Committee on Miscellaneous.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House substitute bill No. 64, entitled "An act giving to county commissioners the power to grant certain public utility franchises on county roads and streets outside of incorporated towns and cities, and confirming certain such grants heretofore made," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, Ritchie M. Kinnear, E. B. Palmer, Will G. Graves, John T. Welsh, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No 337, entitled "An act amending sections 6, 7 and 7½ (same being sections 5278, 5279 and 5280 of Pierce's Washington Code) of an act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency, approved March 13, 1899. Repealing sec-

tion 5 (being section 5277 of Pierce's Washington Code); also amending an act to amend section 8 (being section 5281 of Pierce's Code of Washington) of an act entitled 'An act providing for the protection and propagation of the good fishes in the waters of the State of Washington, regulating the catch and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency," approved March 16, 1903, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: A. L. Watson, Wm. Hickman Moore, R. W. Condon, E. Hammer, T. B. Sumner, W. G. Potts.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 126, entitled "An act to establish a state fish hatchery on the upper Methow river, or some of its tributaries, in Okanogan county, in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do be placed on file.

JOHN T. WELSH, Chairman.

We concur in this report: A. L. Watson, Wm. Hickman Moore, R. W. Condon, E. Hammer, T. B. Sumner, W. G. Potts.

On motion of Senator Welsh the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 202, entitled "An act to establish and maintain a state fish hatchery on Chimacum creek, or some of its tributaries, in Jefferson county, Washington, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on file.

JOHN T. WELSH, Chairman.

We concur in this report: A. L. Watson, Wm. Hickman Moore, R. W. Condon, E. Hammer, T. B. Sumner, W. G. Potts.

On motion of Senator Welsh the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill

No. 251, entitled "An act to establish and maintain state fish hatcheries on the Skagit river or other suitable streams tributary to Skagit river, Skagit county, Washington, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on file.

JOHN T. WELSH, Chairman.

We concur in this report: A. L. Watson, Wm. Hickman Moore, R. W. Condon, E. Hammer, T. B. Sumner, W. G. Potts.

On motion of Senator Welsh the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 55, entitled "An act to create a state fish hatchery on the Little Spokane river in Spokane county, State of Washington, for the propagation and distribution of trout, bass and other game fish in the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on file.

JOHN T. WELSH, Chairman.

We concur in this report: A. L. Watson, Wm. Hickman Moore, R. W. Condon, E. Hammer, T. B. Sumner, W. G. Potts.

On motion of Senator Welsh the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 135, entitled "An act creating a fund to be known as the public highway fund and making provision for an annual levy to produce revenue therein for the construction and repairs of highways and bridges," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

C. L. STEWART, Chairman.

We concur in this report: E. C. Bratt, M. E. Stansell, Fred M. Pauly, S. T. Smith, Walter Christian, J. A. Veness, E. Hammer.

On motion of Senator Stewart the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred House bill No. 41, entitled "An act to provide for the payment of assessments for local improvements against lots or tracts against which general tax certificates of delinquency are sought to be foreclosed," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that be placed on general file.

WALTER CHRISTIAN, Chairman.

We concur in this report: C. G. Brown, W. E. Bronson, W. G. Potts, R. M. Kinnear, T. B. Sumner.

On motion of Senator Christian the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 201, entitled "An act regulating the keeping and deposit of municipal funds," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

WALTER CHRISTIAN, Chairman.

We concur in this report: C. G. Brown, W. E. Bronson, W. G. Potts, R M. Kinnear, T. B. Sumner.

On motion of Senator Christian the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House substitute bill No. 70, entitled "An act relating to the payment of assessments made on state, school, granted or other lands for the purpose of drainage," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Make section 2, section 3.

Insert the following as section 2:

"That in all instances when any assessment heretofore made or shall hereafter be made on state, school, granted or other lands for the purpose of dikes and drainage, the said assessments shall be made and collected and paid in accordance with the provisions of section one of this act."

Strike out the words "included within the provisions of the previous section," at the close of section 2.

Make section 3, section 4.

Insert the words "dikes and" between the words "of" and "drainage," in the second line of title.

GEO. H. BAKER, Chairman.

We concur in this report: C. F. Clapp, C. L. Stewart, J. A. Veness, T. B. Sumner, O. A. Tucker, G. B. Wilson, E. Hammer.

On motion of Senator Hammer the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 8, relating to the construction of a road in the Olympic forest reserve, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WM. HICKMAN MOORE, Chairman.

We concur in this report: H. Rasher, A. Hemrich.

On motion of Senator Moore the report of the committee was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 1, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 150, entitled "An act for the preservation of the salmon fishing industry of the State of Washington," have compared the same wtih the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: S. S. Russell, Charles T. Hutson.

INTRODUCTION OF BILLS.

House bill No. 262: An act to amend sections 1 and 8 of an act entitled "An act creating a bureau of labor, etc., and declaring an emergency.

The bill was read first time and on motion of Senator Veness the rules were suspended and the bill read second time by title.

House bill No. 129: An act providing for the protection and health of employes in factories, etc., and declaring an emergency.

The bill was read first time and on motion of Senator Veness the rules were suspended, the bill read second time by title.

Senator Veness moved that House bill No. 262 and House bill No. 129 be made special order for 1:30 o'clock p. m., Friday, March 3, 1905.

Senator Christian moved as a substitute that the bills be referred to the Committee on Commerce.

The substitute was lost.

House bill No. 262 and House bill No. 129 were made special order for 1:30 o'clock p. m., Friday, March 3, 1905.

GENERAL FILE.

Senate bill No. 130: An act to amend section 5 of an act entitled "An act to provide for the enrollment of the militia, etc., was read third time.

At the request of Senator Henry the following communication was read by the secretary:

STATE OF WASHINGTON, MILITARY DEPARTMENT,
ADJUTANT GENERAL'S OFFICE.
OLYMPIA, February 28, 1905.

Senator Walker A. Henry, Senate Chamber, Olympia, Washington

Sir—In response to your request for information upon the present law relating to the method prescribed for the appointment of an adjutant general, I have the honor to submit the following:

The present law upon that subject is as follows: "The adjutant general shall be appointed by the commander-in-chief with the advice and consent of the Senate. No person shall be eligible as adjutant general who has not served as an officer at least three years in the aggregate in either the national guard of this State or the regular army of the United States, and who is not at the time of his appointment a field, line or regimental staff officer not below the rank of captain in the national guard of this State: *Provided*, That any adjutant general may be re-appointed from time to time at the expiration of his term in the discretion of the commander-in-chief."

This provision of the law was adopted by the Legislature of 1903, among other amendments offered by myself. Under it twenty-two officers of the national guard of Washington are now eligible for appointment to be adjutant general. An increase of the force to the maximum would add at least four more to this list. Some of the reasons for the

adoption of this method of selection of an adjutant general are as follows:

The militia of the United States as organized in the states is admitted to be a necessary and valuable part of the government. If it is worth while to maintain a militia at all, it is worth while to make it as good as it can be made. The militia service in this as well as other states rests upon the principle of voluntary service. The officers and men are not paid except when ordered out for camp or other duties, although they usually devote from one to three nights a week and many Sundays to their work. This of necessity entails considerable sacrifice upon the part of every individual who serves in the militia. In the national guard of Washington you have one officer who is paid and on duty all of the time—your adjutant general. Around him must revolve, as the spokes around the hub of a wheel, your whole military system. He is the only man who devotes all of his time to the work. If he is thoroughly competent from every standpoint, you will have a good national guard; if he is anything less than thoroughly competent, you will have a less satisfactory force. When I say "competent," I mean in the sense that he should be comparatively young, active, alert, thoroughly in touch with the things which have been and are being done in the militia, acquainted with modern methods of handling militia, modern drill and other requirements, modern arms and methods generally.

A great deal of the success which has attended the efforts of the officers and men in the national guard of Washington in the last four years is the direct result of the elimination of politics from that body. The service being a voluntary one, resting upon the principle of loyalty of officers and men to their immediate commanders, it cannot be raised to a point of satisfactory military efficiency if political considerations cut any figure in the appointment of an adjutant general or the conduct of his office. The officers and men of the militia who have served, many of them for a great number of years in that service and in the regular and volunteer armies, on account of the sacrifices which they make, and the work they have to do, are entitled to some consideration. The safeguards thrown around the appointment of field staff and line officers are such that it is not probable that a man who is not competent will secure an appointment. I sincerely believe that the best guarantee which a state can have of a satisfactory adjutant general is to be had by restricting the number of eligibles to the officers of the active list of the militia not below the grade of captain. We have been trying in this State to make an organization second to none in the United States.

The war department records will show that in point of efficiency there is no better state organization. In rifle shooting in 1904 our standing was superior to that of any other state. Do you want to run any chance of lowering the high standard which has been reached?

Should we not rather so safeguard every feature of the present system, particularly the appointment of an adjutant general, that we may be reasonably sure of increasing the efficiency instead of decreasing it? I do hope, Senator, that the Senate will not attempt to amend the present law in any respect at this session.

Respectfully,

(Signed) JAMES A. DRAIN, Adjutant General.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Clapp, Condon, Davis, Hammer, Hutson, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Watson, Welsh—24.

Those voting nay were: Senators Bronson, Brown, Christian, Graves, Gunn, Hemrich, Henry, Kennedy, Moore, Palmer, Rasher, Stewart, Wilson—13.

Those absent or not voting were: Senators Earles, Hunter, Kinnear, Russell, Van de Vanter—5.

The emergency clause failed to pass by the following vote:

Those voting yea were: Senators Boone, Brown, Clapp, Condon, Gunn, Hammer, Henry, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Watson, Welsh—23.

Those voting nay were: Senators Bratt, Bronson, Christian, Davis, Graves, Kennedy, Moore, Palmer, Rasher, Stewart, Wilson—11.

Those absent or not voting were: Senators Baker, Earles, Hemrich, Hunter, Hutson, Kinnear, Russell, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 200: An act to amend section 6490 of Ballinger's Annotated Codes and Statutes of Washington, relating to habitual drunkards, was read third time and placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Davis, Gunn, Hammer, Hemrich, Hutson, Kennedy, Le Crone, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—28.

Those voting nay were: Senators Graves and Henry—2.

Those absent or not voting were: Senators Baker, Condon, Earles, Hunter, Kinnear, O'Donnell, Palmer, Rasher, Russell, Sumner, Van de Vanter, Moore—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 91: An act to amend section 6488 of Ballinger's Code, etc., providing for the making complaint against habitual drunkards, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Condon, Davis, Gunn, Hammer, Henrich, Henry, Hutson, Kennedy, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—29.

Senator Graves voted nay.

Those absent or not voting were: Senators Baker, Christian, Clapp, Earles, Hunter, Kinnear, Moore, Palmer, Rasher, Russell, Sumner, Van de Vanter—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hammer, Senate bill No. 133 went over until this afternoon.

On motion of Senator Stewart the Senate resolved itself into a committee of the whole to consider Senate bill No. 156: An act making an appropriation for the maintenance of the Western Washington Experimental Station, located at Puyallup, Pierce county, etc.

The bill was considered in the committee of the whole, Senator Smith (J. J.) in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Smith (J. J.) the report of the committee of the whole was adopted.

On motion of Senator Stewart the rules were suspended, the reading had in the committee of the whole considered the third reading, and the bill placed in final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Condon, Davis, Graves, Gunn, Hemrich, Henry, Kennedy,

Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Reed, Ruth, Smith (Dr. J. J.), Stewart, Tucker, Veness, Watson, Welsh—26.

Those voting nay were: Senators Baker, Hammer, Rands—3.

Those absent or not voting were: Senators Christian, Clapp, Earles, Hunter, Hutson, Palmer, Rasher, Russell, Smith (S. T.), Stansell, Sumner, Van de Vanter, Wilson—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Stewart the rules were suspended, and Senate bill No. 156 ordered transmitted to the House immediately.

Senate bill No. 167: An act regulating the production, keeping, transportation, sale, exchange, receipt and disposal of milk and cream for food purposes, etc., and declaring an emergency, was read third time.

Senator Henry moved that the bill go over until Monday, retaining its place on the calendar.

The motion was lost.

Senator Welsh moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Palmer, section 14 of the engrossed bill was stricken out.

The bill was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Clapp, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Tucker, Welsh, Wilson—28.

Those voting nay were: Senators Bratt, Kinnear, Stansell—3.

Those absent or not voting were: Senators Christian, Earles, Henry, Hunter, Russell, Smith (Dr. J. J.), Stewart, Sumner, Van de Vanter, Veness, Watson—11.

On motion of Senator Wilson the words "and declaring an emergency" were stricken from the title of the act.

There being no objection, the title of the bill, as amended, was ordered to stand as the title of the act.

Senator Welsh gave notice of a motion to reconsider the vote by which Senate bill No. 167 passed the Senate.

Mr. A. N. Brown, private secretary to the Governor, appeared before the Senate and delivered the following

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., March 2, 1905.

To the Honorable, the Senate of the State of Washington, Senate Chamber, Olympia, Washington:

Gentlemen—I herewith withdraw from further consideration by the Senate the following appointments made by my predecessor in office, submitted to you by him for your confirmation, and subsequently returned by you to me:

Board of Trustees of State Normal School, at Ellensburg:

H. M. Baldwin, of Ellensburg, appointed for the term ending June 26, 1910, succeeding himself, term expired.

Board of Trustees of the State Normal School, at Bellingham:

J. C. Minton, of Bellingham, appointed for the term ending June 12, 1905, succeeding L. P. White, deceased.

State Board of Health and Bureau of Vital Statistics:

W. S. Durand, of Everett, appointed for the term ending December 30, 1908, succeeding J. S. McIlheney, term expired.

Pilot Commissioner, Straits of Fuca and Puget Sound:

N. T. Oliver, of Port Townsend, at the pleasure of the Governor, succeeding Charles H. Jones, deceased.

Regents of University of Washington:

George H. King, of Seattle, appointed for the term ending the second Monday in March, 1908, succeeding A. J. Blethen, not confirmed.

F. A. Hazeltine, South Bend, appointed for the term ending the second Monday in March, 1910, succeeding James E. Bell, term expired.

Frank T. Post, of Spokane, appointed for the term ending the second Monday in March, 1910, succeeding James Z. Moore, term expired.

State Board of Control:

Henry T. Jones, of Spokane, appointed for the term ending March 31, 1909, succeeding Ernest Lister, term expired.

Jesse T. Mills, of Olympia, appointed for the term ending March 31, 1907, succeeding C. S. Reed, resigned.

Regents Agricultural College and School of Science:

U. L. Ettinger, Colfax, appointed for the term ending March 9, 1907, succeeding J. W. Stearns, resigned.

J. P. Sharp, of Ellensburg, appointed for the term ending March 9, 1905, succeeding H. W. Canfield, resigned.

Frank J. Barnard, of Seattle, appointed for the term ending March 9, 1909, succeeding himself, term expired.

R. C. McCroskey, Garfield, appointed for the term ending March 9, 1909, succeeding himself, term expired.

State Board of Education:

J. M. Hitt, Port Townsend, appointed for the term ending the first Monday in March, 1905, succeeding Miss Sarah Lawton, term expired.

S. W. Yerkes, Seattle, appointed for the term ending the first Monday in March, 1905, succeeding Mrs. Clara Ryan, term expired.

J. W. Shepherd, Walla Walla, appointed for the term ending the first Monday in March, 1905, succeeding Miss Grace C. Henderson, term expired.

H. B. Dewey, of Tacoma, appointed for the term ending the first Monday in March, 1905, succeeding Mrs. Carrie Shaw Rice, term expired.

State Fair Commission:

J. E. Shannor, of North Yakima, appointed for the term ending March 27, 1907, succeeding himself, term expired.

E. J. Wyman, of North Yakima, appointed for the term ending March 27, 1907, succeeding E. F. Benson, term expired.

W. L. Wright, of North Yakima, appointed for the term ending March 22, 1905, succeeding William H. Vessey, resigned.

W. H. Cline, of Sunnyside, appointed for the term ending March 27, 1907, succeeding T. B. Gunn, term expired.

L. O. Jeneck, of North Yakima, appointed for the term ending March 22, 1905, succeeding A. J. Splawn, resigned.

Very respectfully,

ALBERT E. MEAD, Governor.

At 11:50 o'clock a. m., on motion of Senator Palmer, a recess was taken until 1:30 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 1:30 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senators Earles, Russell and Van de Vanter, all of whom were excused.

Senate bill No. 168: An act for the prevention, control and cure of tuberculosis, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hunter, Hutson, Kennedy, Le Crone, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—30.

Those absent or not voting were: Senators Bronson, Clapp, Earles, Henrich, Henry, Kinnear, Moore, O'Donnell, Rands, Russell, Smith (S. T.), Van de Vanter—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 160: An act validating the sales and conveyance heretofore made of state timber and timber lands bearing more than 1,000,000 feet of timber to the quarter section, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Pratt, Bronson, Brown, Condon, Davis, Graves, Hammer, Henrich, Henry, Hunter, Hutson, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Stewart, Tucker, Welsh, Wilson—26.

Senator Kennedy voted nay.

Those absent or not voting were: Senators Baker, Christian, Clapp, Earles, Gunn, Kinnear, Moore, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Van de Vanter, Veness, Watson—15.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 127: An act to apportion the State of Washington into congressional districts, was read third time.

On motion of Senator Palmer the bill was amended by inserting after the word "King," in line 1 of section 2 of the engrossed bill, the word "Kitsap" and by striking out the word "Island" in line 1 of section 2 of the engrossed bill and the words "San Juan" in line 2 of section 2 of the engrossed bill.

On motion of Senator Palmer the word "Kitsap," in line 3 of section 3 of the engrossed bill was stricken out and the words "Island, San Juan" inserted in lieu thereof.

On motion of Senator Palmer the word "Benton" was inserted after the word "Yakima" in line 1 of section 4 of the engrossed bill.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Gunn, Hammer, Henrich, Hunter, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Ruth, Smith (Dr. J. J.), Stewart, Sumner, Tucker, Veness, Welsh—28.

Those voting nay were: Senators Boone, Bratt, Henry, Hutson, O'Donnell, Reed, Stansell, Wilson—8.

Those absent or not voting were: Senators Baker, Earles, Russell, Smith (S. T.), Van de Vanter, Watson—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Smith (J. J.) the rules were suspended and Senate bill No. 127 ordered transmitted to the House immediately.

On motion of Senator Reed the rules were suspended and Senate bill No. 130 ordered transmitted to the House immediately.

Senator Tucker moved to reconsider the vote by which House bill No. 276 was ordered transmitted to the House immediately.

The motion was carried.

Senator Tucker gave notice of a motion to reconsider the vote by which House bill No. 276 passed the Senate.

Senate bill No. 189: An act to amend section 3 of an act entitled "An act creating a State Library Commission, etc.," was read

third time, placed on final passage and failed to pass by the following vote:

Those voting yea were: Senators Bronson, Brown, Clapp, Gunn, Hammer, Hutson, Kennedy, Moore, Palmer, Pauly, Pogue, Rands, Reed, Tucker, Welsh—15.

Those voting nay were: Senators Boone, Bratt, Graves, Hemrich, Kinnear, Le Crone, O'Donnell, Potts, Ruth, Smith (Dr. J. J.), Stansell, Wilson—12.

Those absent or not voting were: Senators Christian, Condon, Davis, Earles, Henry, Hunter, Rasher, Baker, Russell, Smith (S. T.), Stewart, Sumner, Van de Vanter, Veness, Watson—15.

Senator Graves gave notice of a motion to reconsider the vote by which Senate bill No. 189 failed to pass the Senate.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

The speaker has signed House bill No. 164, entitled "An act to amend 'An act to provide for the organization and incorporation of companies for cleaning out and improving rivers.'"

Also House bill No. 120, entitled "An act to establish a board of commissioners for the promotion of uniformity of legislation in the United States."

Also House bill No. 92, entitled "An act to amend 'An act to establish a general uniform system of public schools.'"

Also House bill No. 248, entitled "An act amending an act relating to contracts."

Also House bill No. 102, entitled "An act to enable cities of the first, second and third classes, and other cities and towns working under special charters, having sufficient population, to authorize them to reincorporate," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Amended Senate bill No. 228: An act relating to irrigation and storage of water therefor, was read third time.

Senator Graves moved to amend the bill by striking out the following: beginning with the word "and" after the word "purposes" in line 8 of section 1 of the printed bill to and including the word "state" in line 27 of section 1 of the printed bill.

The motion was lost.

On motion of Senator Moore the bill was amended by inserting after the word "to" in line 25 of section 1 of the amended printed bill the words "the rights of" and by adding after the word "state" in line 27 of section 1 of the amended printed bill the words "to take such reservoirs, works and property."

On motion of Senator Graves the bill was amended by striking out everything between the words "purposes" and "shall" in line 2 of section 3 of the amended printed bill and inserting in lieu thereof the following: "within the time in which the works therefor can be completed by the exercise of the utmost diligence and continuous prosecution of labor thereon."

The roll was called on final passage and amended Senate bill No. 228 passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Brown, Christian, Davis, Hammer, Henrich, Henry, Hutson, Kinnear, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Sumner, Tucker, Watson, Welsh, Wilson—27.

Those voting nay were: Senators Graves and Gunn—2.

Those absent or not voting were: Senators Bronson, Clapp, Condon, Earles, Hunter, Kennedy, Moore, O'Donnell, Potts, Russell, Smith (S. T.), Stewart, Van de Vanter, Veness—14.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Reed the rules were suspended and amended Senate bill No. 228 ordered transmitted to the House immediately.

Mr. A. N. Brown, private secretary to the Governor, appeared before the Senate and delivered the following

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., March 2, 1905.

To the Honorable, the Senate:

I am directed by the Governor to inform you that he has this day approved the following measures:

Senate bill No. 3: "An act prohibiting the sale of milk or any food product in which formaldehyde or other poisonous substances shall have been mixed as an ingredient; declaring the same a felony; providing a penalty therefor; and requiring the state dairy and food com-

missioner, attorney general and prosecuting attorneys to enforce the provisions hereof."

Senate bill No. 9: "An act making the drawing, or uttering, of a bank check or draft for the payment of money, without funds or credit to meet the same upon presentation, a felony, and prescribing a penalty therefor."

Senate bill No. 85: "An act providing for sanitary conditions in hotel and restaurant kitchens, and providing penalties for non-compliance therewith."

Senate bill No. 87: "An act to authorize the board of state land commissioners of the State of Washington to extend the time for the removal of timber sold on state, granted, or school lands."

Senate bill No. 96: "An act to amend section 28 of an act entitled 'An act to define, regulate and govern the state penitentiary and declaring an emergency,' approved March 9, 1891, being section 2757 of Ballinger's Annotated Codes and Statutes of Washington, being section 6924 of Pierce's Washington Code."

A. N. BROWN, Private Secretary.

On motion of Senator Moore House bill No. 7 went over until tomorrow.

House bill No. 53: An act enabling counties, cities and towns to validate certain warrants and obligations, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Christian, Condon, Davis, Graves, Hammer, Henry, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Rands, Rasher, Reed, Ruth, Stansell, Summer, Tucker, Watson, Wilson—25.

Those absent or not voting were: Senators Baker, Bronson, Clapp, Earles, Gunn, Henrich, Hunter, Hutson, Kinnear, Potts, Russell, Smith (Dr. J. J.), Smith (S. T.), Stewart, Van de Vanter, Veness, Welsh—17.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 99: An act providing for regulating of mutual fire insurance companies, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Clapp, Graves, Gunn, Hammer, Henrich, Henry, Hutson, Kennedy, Le Crone, Moore, Pauly, Pogue, Potts, Rands,

Rasher, Reed, Ruth, Stewart, Sumner, Tucker, Watson, Welsh, Wilson—28.

Those absent or not voting were: Senators Christian, Condon, Davis, Earles, Hunter, Kinnear, O'Donnell, Palmer, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Van de Vanter, Veness—14.

There being no objection the title of the bill was ordered to stand as the title of the act.

House memorial No. 1: Relating to Quinault Indian Reservation, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Clapp, Condon, Gunn, Hammer, Henry, Hutson, Kennedy, Moore, O'Donnell, Palmer, Pauly, Potts, Rands, Rasher, Reed, Ruth, Stewart, Sumner, Tucker, Watson, Welsh, Wilson—27.

Senator Graves voted nay.

Those absent or not voting were: Senators Christian, Davis, Earles, Hemrich, Hunter, Kinnear, Le Crone, Pogue, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Van de Vanter, Veness—14.

On motion of Senator Hammer, Senate bill No. 133 was next taken up.

On motion of Senator Hammer the Senate resolved itself into a committee of the whole to consider Senate bill No. 133: An act authorizing the assessment of lands held or owned by the State of Washington within the limits of dyking or drainage districts, etc.

The bill was considered in the committee of the whole, Senator Wilson in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Wilson the report of the committee of the whole was adopted.

On motion of Senator Hammer the rules were suspended and the reading of the bill had in the committee of the whole considered the third reading of the bill.

Senate bill No. 133 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bron-

son, Brown, Clapp, Condon, Gunn, Hammer, Hemrich, Henry, Kennedy, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Watson, Welsh, Wilson—30.

Those absent or not voting were: Senators Christian, Davis, Earles, Graves, Hunter, Hutson, Kinnear, Le Crone, Russell, Stansell, Van de Vanter, Veness—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

House memorial No. 9, relating to the ratification of international arbitration treaties, etc., was read third time.

On motion of Senator Palmer the memorial was laid on the table.

On motion of Senator Palmer Senate substitute bill No. 243 was passed on the calendar until the members are supplied with printed copies.

Senate bill No. 147: An act amending the lien law, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Clapp, Davis, Graves, Gunn, Hammer, Hemrich, Hunter, Hutson, Kennedy, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Sumner, Tucker, Veness, Watson, Welsh, Wilson—30.

Those absent or not voting were: Senators Bratt, Christian, Condon, Earles, Henry, Kinnear, Le Crone, Russell, Smith (S. T.), Stansell, Stewart, Van de Vanter—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands Senate substitute bill No. 243 was next taken up.

Senate substitute bill No. 243 for Senate bill No. 58 and Senate bill No. 141: An act to provide for the publication and sale of the supreme court reports, etc., was read third time.

On motion of Senator Moore the bill was amended by striking out section 6 of the printed bill.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bron-

son, Brown, Clapp, Condon, Davis, Graves, Gunn, Hammer, Henry, Hutson, Kennedy, Kinnear, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Sumner, Tucker, Watson—29.

Those absent or not voting were: Senators Christian, Hemrich, Hunter, Le Crone, Russell, Smith (S. T.), Stansell, Stewart, Van de Vanter, Veness, Welsh, Wilson, Earles—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands the rules were suspended and Senate substitute bill No. 243 was ordered transmitted to the House immediately.

Senate bill No. 175: An act amending section 3 of chapter 176 of the Laws of 1903, entitled "An act providing for the incorporation of trust companies, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Graves, Hammer, Henry, Hutson, Kennedy, Le Crone, Palmer, Pauly, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Tucker, Veness, Watson, Welsh, Wilson—28.

Those absent or not voting were: Senators Christian, Earles, Gunn, Hemrich, Hunter, Kinnear, Moore, O'Donnell, Pogue, Russell, Smith (S. T.), Stewart, Sumner, Van de Vanter—14.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Condon, Davis, Graves, Gunn, Henry, Hutson, Kennedy, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Tucker, Veness, Watson, Welsh, Wilson—28.

Those absent or not voting were: Senators Christian, Clapp, Earles, Hammer, Hemrich, Hunter, Kinnear, Moore, O'Donnell, Russell, Smith (S. T.), Stewart, Sumner, Van de Vanter—14.

On motion of Senator Smith (J. J.) the title was amended by adding the words "and declaring an emergency."

There being no objection the amended title of the bill was ordered to stand as the title of the act.

The president signed House bills Nos. 164, 248, 92, 120 and 102.

Senate bill No. 181: An act authorizing county commissioners

to make provision for the relief and support of dependent children, etc., was read third time, placed on final passage and failed to pass by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Christian, Clapp, Graves, Hammer, Hutson, Kennedy, Kinnear, Palmer, Rands, Rasher, Wilson—14.

Those voting nay were: Senators Baker, Brown, Condon, Le Crone, Moore, O'Donnell, Pauly, Pogue, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Veness, Watson, Welsh—18.

Those absent or not voting were: Senators Davis, Earles, Gunn, Hemrich, Henry, Hunter, Potts, Russell, Tucker, Van de Vanter—10.

At 3:45 o'clock p. m., on motion of Senator Baker, the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, March 3, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Coon, pursuant to adjournment.

The secretary called the roll, all members being present except Senators Russell and Van de Vanter, both of whom were excused.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Palmer the roll was called on the adoption of the following resolution:

RESOLUTION BY SENATOR PALMER.

Be it resolved, That we the members of the State Senate do hereby commend Will T. Laube for his efficient services as reading clerk of the Senate during the session of 1905.

The proceedings of the session have been greatly aided by his untiring devotion to duty and the finished and highly satisfactory manner in which he has read from day to day the proceedings in which we have been engaged. We heartily endorse him to all who may require his services.

Be it further resolved, That this resolution be spread upon the minutes and that an enrolled copy thereof be signed by the president and secretary and each member of the Senate and be presented to Will T. Laube.

The resolution was unanimously adopted as follows:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—40.

Those absent were: Senators Russell and Van de Vanter—2.

On motion of Senator Graves House bill No. 36 and Senate bill No. 42 were made special order for Monday, March 6, 1905, at 11 o'clock a. m.

On motion of Senator Graves the vote by which House bill No. 226 failed to pass the Senate was reconsidered and the bill ordered placed on the calendar.

On motion of Senator Ruth the vote by which House bill No. 182 passed the Senate was reconsidered.

On motion of Senator Ruth House bill No. 182 was re-referred to the Committee on Education.

On motion of Senator Reed the vote by which House substitute bill No. 130 failed to pass the Senate was reconsidered and the bill ordered placed on the calendar.

On motion of Senator Tucker the vote by which House bill No. 276 passed the Senate was reconsidered and the bill ordered placed on the calendar.

REPORT OF STANDING COMMITTEE.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, find that Senator Arthur Gunn is entitled to mileage allowance for 498 miles, and we respectfully recommend that he be paid the sum of $49.80 as mileage.

A. L. WATSON, Chairman.

We concur: Lincoln Davis, H. M. Boone.

On motion of Senator Davis the report of the committee was adopted.

Senator Baker was, at his request, excused from further attendance at today's session.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 127, entitled "An act to apportion the State of Washington into congressional districts," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: R. W. Condon, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 80, entitled "An act to amend an act relating to the state soldiers' home," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: W. E. Bronson, R. W. Condon, Charles T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 130, entitled "An act to amend an act to provide for the enrollment of the militia," etc., have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted.

J. I. POGUE, Chairman.

We concur in this report: R. W. Condon, Charles T. Hutson.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No. 239, entitled "An act to amend section 340 of Ballinger's Annotated Codes and Statutes of the State of Washington, same being section 4121 of Pierce's Washington Code, relating to mileage and expenses of county commissioners," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

R. M. KINNEAR, Chairman.

We concur in this report: A. L. Watson, R. W. Condon, E. Hammer, T. A. Hunter.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate bill No. 138, entitled "An act to provide for the formation of banking corporations and to regulate the business of banking and securing state supervision thereof; for the appointment of a bank commissioner, defining his duties, fixing his compensation and making an appropriation therefor," have had the same under consderation, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

S. T. SMITH, Chairman.

We concur in this report: R. W. Condon, R. M. Kinnear, H. Rasher, Geo. A. Kennedy.

On motion of Senator Smith (S. T.) the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 240, entitled "An act to provide for a general uniform series of school text-books for use in the common schools of the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. M. LE CRONE, Chairman.

We concur in this report: A. S. Ruth, J. R. O'Donnell, C. L. Stewart.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 199, entitled "An act to amend an act prohibiting the importation of animals unless accompanied by a certificate of health," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ARTHUR GUNN, Chairman.

We concur in this report: Fred M. Pauly, M. E. Stansell, J. I. Pogue, E. C. Bratt.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your joint Committee on Game and Game Fish, to whom was referred Senate bill No. 244, entitled "An act providing for the office and appointment of chief deputy game warden and county game wardens, providing for their salaries," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER, Chairman.

We concur in this report: E. M. Rands, A. Hemrich, M. E. Stansell, W. G. Potts, C. L. Stewart.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 142, entitled "An act in relation to deliveries of goods to consignees by common carriers," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Judiciary.

C. F. CLAPP, Chairman.

We concur in this report: Charles T. Hutson, M. E. Stansell, C. G. Brown, E. M. Rands, G. B. Wilson, R. M. Kinnear, Lincoln Davis, T. B. Sumner.

On motion of Senator Clapp the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 78, entitled "An act to establish a railroad commission for the State of Washington," etc., have had the same under

consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. F. CLAPP, Chairman.

We concur in this report: Charles T. Hutson, M. E. Stansell, C. G. Brown, E. M. Rands, G. B. Wilson, R. M. Kinnear, Lincoln Davis, T. B. Sumner.

On motion of Senator Clapp the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 14, entitled "An act to establish a railroad commission for the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. F. CLAPP, Chairman.

We concur in this report: Charles T. Hutson, M. E. Stansell, C. G. Brown, E. M. Rands, G. B. Wilson, R. M. Kinnear, Lincoln Davis, T. B. Sumner.

On motion of Senator Clapp the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 7, entitled "An act to establish a railroad commission for the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. F. CLAPP, Chairman.

We concur in this report: Charles T. Hutson, M. E. Stansell, C. G. Brown, E. M. Rands, G. B. Wilson, R. M. Kinnear, Lincoln Davis, T. B. Sumner.

On motion of Senator Clapp the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 230, entiled "An act to amend sections 1092, 1093, 1095, 1096, 1097, 1098, 1099, and 1101 of Ballinger's Codes and Statutes

of Washington, relating to drainage and sewerage in cities of the second, third, and fourth class, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do be placed on general file.

J. R. O'DONNELL, Chairman.

We concur in this report: A. L. Watson, J. J. Smith, Geo. A. Kennedy, C. L. Stewart, Walter J. Reed, E. Hammer, T. A. Hunter.

On motion of Senator O'Donnell the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 336, entitled "An act relating to foreclosure of assessments for local improvements in cities of the third and fourth classes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do be placed on general file.

J. R. O'DONNELL, Chairman.

We concur in this report: A. L. Watson, J. J. Smith, Geo. A. Kennedy, C. L. Stewart, Walter J. Reed, E. Hammer, T. A. Hunter.

On motion of Senator O'Donnell the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred Senate bill No. 232, entitled "An act to prevent the procreation of weak and diseased children," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

G. B. WILSON, Chairman.

We concur in this report: J. J. Smith, J. I. Pogue.

On motion of Senator Wilson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was re-referred House bill No. 152, entitled "An act regulating automobiles, motor vehicles or motor cycles on public roads, highways, park or parkways,

streets or avenues, within the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended by the House.

C. L. STEWART, Chairman.

We concur in this report: E. C. Bratt, M. E. Stansell, S. T. Smith, J. A. Veness, E. Hammer, Fred M. Pauly.

On motion of Senator Stewart the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 229, entitled "An act to prevent fraud upon travelers and prescribing where, how, and by whom railroad tickets shall be sold," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. F. CLAPP, Chairman.

We concur in this report: Charles A. Hutson, M. E. Stansell, C. G. Brown, E. M. Rands, G. B. Wilson, R. M. Kinnear, Lincoln Davis, T. B. Sumner.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 170, entitled "An act fixing the fees to be paid to the secretary of state by corporations doing business in this State and repealing all acts and parts of acts in conflict herewith," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. F. CLAPP, Chairman.

We concur in this report: J. J. Smith, Arthur Gunn, C. G. Brown, M. E. Stansell, John T. Welsh.

On motion of Senator Clapp the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred House bill No. 62, entitled "An act for the relief of Skamania county,

and making an appropriation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. B. PALMER, Chairman.

We concur in this report: S. T. Smith, Fred M. Pauly, John T. Welsh, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate bill No. 250, entitled "An act fixing the compensation of judges of the supreme court," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, E. B. Palmer, Wm. Hickman Moore, Will G. Graves, John T. Welsh, R. M. Kinnear.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate bill No. 250, entitled "An act fixing the compensation of judges of the supreme court," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

WALTER CHRISTIAN.

Senator Rands moved that the majority report be adopted.

Senator Christian moved as a substitute that the minority report be adopted.

The substitute carried and the minority report was adopted.

SENATE CHAMBER.
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred House bill No. 303, entitled "An act to exempt bequests and devises when made for charitable purposes from the payment of any tax or sum under any inheritance tax law, and remitting any such tax claimed to be due on such bequest or inheritance," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, John T. Welsh, Will G. Graves.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred House bill No. 303, entitled "An act to exempt bequests and devises when made for charitable purposes from the payment of any tax or sum under any inheritance tax law, and remitting any such tax claimed to be due on such bequest or inheritance," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. HICKMAN MOORE.
WALTER CHRISTIAN.

Senator Rands moved the adoption of the majority report.

Senator Moore moved as a substitute the adoption of the minority report.

The substitute was lost and the majority report was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 68, entitled "An act empowering cities of the third class to collect poll tax," amended as follows:

In the title insert the words "and fourth," after the word "third."

In line 1 of section 1 insert the words "and fourth," after the word "third."

In line 3 of section 1 insert the word "male," after the word "every."

Also House bill No. 340, entitled "An act in relation to trading stamps."

Also Senate bill No. 82, entitled "An act to provide for the erection of screens at the head of irrigating flumes," etc., with the following amendments:

Amend title of act to read as follows:

"An act to provide for the erecting of screens or grills at the head of irrigating flumes, ditches or canals on streams where state fish hatcheries are located for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches or canals, and providing a penalty for the violation thereof."

Amend section 1 to read as follows:

"Section 1. That any person or persons, company or corporation owning, operating or controlling any canal, ditch or flume used for irrigating purposes shall erect on streams where state fish hatcheries are located and keep at the head of every such canal, ditch or flume, a wire screen or grill; the design and construction of the same shall

be under the direction and approval of the state fish commissioner; said wire screen or grill shall be well constructed, and the meshes of said screen or grill shall not be farther apart than one-fourth of one inch, and shall be securely placed in the head of every such canal, flume or ditch, so as to prevent the ingress of any mountain trout or other food fishes from any of the lakes or streams of this State."

The House has failed to pass Senate bill No. 59, entitled "An act for the incorporation of certain associations," etc.

The House has concurred in Senate amendments to House bill No. 13, entitled "An act to establish an institution for the feeble minded in this State," etc.

Also in Senate amendments to House bill No. 252, entitled "An act to amend an act providing for the creation of diking districts."

Also in Senate amendments to House bill No. 203, entitled "An act relating to the incorporation, management and powers of toll logging roads," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 237, entitled "An act authorizing the execution on behalf of the State of Washington of bonds in judicial proceedings, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. with the following amendment:

In line 3, section 1 of the printed bill, after the word "whatsoever," strike the period, substitute a comma therefor, and add the words "and to procure sureties thereon."

E. M. RANDS. Chairman.

We concur in this report: Charles T. Hutson, E. B. Palmer, Wm. Hickman Moore, Walter Christian, Will G. Graves, John T. Welsh.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 113, entitled "An act authorizing associations and companies owning cemeteries to accept trust funds, the income therefrom to be used in the betterment, care and improvement of such

cemeteries," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

C. F. CLAPP, Chairman.

We concur in this report: J. J. Smith, Arthur Gunn, C. G. Brown, M. E. Stansell, John T. Welsh.

On motion of Senator Clapp the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 164, entitled "An act to prevent discrimination in the distribution of cars by railroad companies, and providing a penalty therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

C. F. CLAPP, Chairman.

We concur in this report: Charles T. Hutson, C. G. Brown, E. M. Rands, G. B. Wilson, R. M. Kinnear, Lincoln Davis, T. B. Sumner.

Senator Clapp moved the adoption of the report of the committee.

Senator Hammer moved as a substitute that the bill be placed on general file.

The substitute carried and the bill was ordered placed on general file.

The following bills were signed by the president: Senate bills Nos. 95, 188, 45, 67 and 129.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 95, entitled "An act amending section 2945 of Ballinger's Codes and Statutes of Washington, and relating to the maintenance and trial of actions by persons injured in their persons, property or means of support by intoxicated persons or in consequence of the intoxication of persons."

Also Senate bill No. 129, entitled "An act to amend sections 1, 2, 3 and 6 of an act entitled 'An act to provide for the extermination of coyotes, wolves,'" etc.

Also Senate bill No. 67, entitled "An act to enable coroners of counties having a population of fifty thousand or more inhabitants to appoint a deputy coroner for such counties, and prescribe his duties."

Also Senate bill No. 188, entitled "An act providing for the irrigation, improvement and sale of lands granted to the State of Washington for any and all purposes and uses."

Also Senate bill No. 45, entitled "An act to amend section 6 of an act entitled 'An act making provisions for the incorporation of cemetery associations, defining their powers, and prescribing penalty for injury to their property,' approved March 6, 1899."

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, H. Rasher, C. G. Brown, O. A. Tucker.

On motion of Senator Smith (J. J.) "business lying on the table" was taken up out of order.

On motion of Senator O'Donnell the Senate concurred in the House amendments to Senate bill No. 107 by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Christian, Clapp, Davis, Hemrich, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Watson, Welsh, Wilson—28.

Those absent or not voting were: Senators Baker, Bronson, Condon, Earles, Graves, Gunn, Hunter, Kinnear, Rasher, Russell, Stewart, Van de Vanter, Veness, Hammer—14.

On motion of Senator Veness the Senate concurred in the House amendments to Senate bill No. 112 by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Condon, Davis, Earles, Graves, Gunn, Hammer, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Veness, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Baker, Bronson, Christian, Clapp, Hemrich, Hunter, Kinnear, Russell, Stansell, Sumner, Van de Vanter—11.

On motion of Senator Rands the Senate concurred in the House amendments to Senate bill No. 121 by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson,

Clapp, Condon, Davis, Earles, Gunn, Henrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Baker, Brown, Christian, Graves, Hammer, Kinnear, Russell, Stansell, Van de Vanter—9.

On motion of Senator Wilson the Senate concurred in the House amendments to Senate bill No. 154 by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Condon, Davis, Earles, Graves, Gunn, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Welsh, Wilson—30.

Those absent or not voting were: Senators Baker, Christian, Clapp, Henrich, O'Donnell, Rasher, Russell, Stansell, Sumner, Van de Vanter, Veness, Watson—12.

On motion of Senator Tucker the consideration of House amendments to Senate bills Nos. 184 and 185 was laid over.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

The Speaker has signed House substitute bill No. 115, entitled "An act to regulate plumbing in cities having a population of 10,000 inhabitants or over," etc.

Also House bill No. 198, entitled "An act relating to the exercise of the power of eminent domain," etc.

Also House substitute bill No. 38 entitled "An act relating to the appropriation of waters of the State for irrigation purposes," etc.

Also House bill No. 59, entitled "An act relating to the use of waters of this State for the removal of timber products," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Tucker the Senate concurred in the House amendments to Senate bill No. 60 by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Christian, Clapp, Condon, Davis, Gunn, Hammer, Henry, Hunter,

Kennedy, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Veness, Watson, Wilson—28.

Those voting nay were: Senators Graves, Hutson, Moore—3.

Those absent or not voting were: Senators Baker, Brown, Earles, Hemrich, Kinnear, O'Donnell, Russell, Stansell, Sumner, Van de Vanter, Welsh—11.

On motion of Senator Palmer the consideration of House amendments to Senate bill No. 20 went over until Tuesday, March 7, 1905.

The following bills were signed by the president: House bills Nos. 59, 38, 198 and 115.

On motion of Senator Wilson the Senate refused to concur in the House amendments to Senate bill No. 90, and the House was requested to recede from its amendments.

On motion of Senator Tucker the Senate concurred in the House amendments to Senate bill No. 101 by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Baker, Hemrich, Moore, O'Donnell, Russell, Sumner, Van de Vanter—7.

On motion of Senator Welsh the Senate concurred in the House amendments to Senate bill No. 68 by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators Baker, O'Donnell, Russell, Sumner, Van de Vanter—5.

On motion of Senator Pogue the Senate concurred in the House amendments to Senate bill No. 82 by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Christian, Condon, Davis, Earles, Graves, Gunn, Hammer, Henry,

Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—34.

Those absent or not voting were: Senators Baker, Bronson, Clapp, Hemrich, O'Donnell, Russell, Sumner, Van de Vanter—8.

GENERAL FILE.

On motion of Senator Kinnear, Senate bill No. 135 was indefinitely postponed.

On motion of Senator Palmer House bill No. 7 was laid over.

Engrossed copy of Senate bill No. 183: An act amending an act entitled "An act to amend section 221 of an act entitled 'An act to regulate the practice and proceedings in civil actions,'" etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Kinnear, Russell, Stansell, Sumner, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands the rules were suspended and Senate bill No. 183 ordered transmitted to the House immediately.

Senator Ruth moved that Senate concurrent resolution No. 19 be indefinitely postponed.

Senator Christian moved as a substitute that Senate concurrent resolution No. 19 be made a special order for 2 o'clock Monday afternoon, March 6, 1905.

The substitute was lost.

On the motion to indefinitely postpone, the following Senators demanded a roll call: Senators Smith (Dr. J. J.), Rands, Wilson, Hemrich, Davis, Moore, Bronson.

Senators Davis, Bronson and Christian demanded a call of the Senate.

The secretary called the roll.

Those absent were Senators Russell, excused, Van de Vanter, excused, and Senator Sumner.

On motion of Senator Smith (J. J.) further proceedings under the call of the Senate were suspended.

The roll was called and Senate concurrent resolution No. 19 was postponed indefinitely by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Condon, Earles, Graves, Gunn, Hammer, Henry, Hunter, Moore, O'Donnell, Palmer, Pogue, Potts, Rasher, Reed, Ruth, Stewart, Tucker, Veness, Watson—22.

Those voting nay were: Senators Bronson, Christian, Clapp, Davis, Hemrich, Hutson, Kinnear, Pauly, Rands, Smith (Dr. J. J.) Smith (S. T.), Stansell, Sumner, Welsh, Wilson—15.

Those absent or not voting were: Senators Baker, Kennedy, Le Crone, Russell, Van de Vanter—5.

House bill No. 185: An act providing for the rate of interest to be paid on certain bonds of Island county, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Christian, Clapp, Condon, Davis, Earles, Hammer, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Watson, Welsh, Wilson—33.

Senator Graves voted nay.

Those absent or not voting were: Senators Baker, Bronson, Gunn, Henry, Rasher, Russell, Van de Vanter, Veness—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

At 11:50 o'clock a. m., on motion of Senator Palmer, a recess was taken until 1:30 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 1:30 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senators Baker, Russell and Van de Vanter, all of whom were excused.

SPECIAL ORDER.

The hour of 1:30 having arrived the Senate considered House bills Nos. 262 and 129.

House bill No. 262: An act to amend sections 1 and 8 of an act entitled "An act creating a bureau of labor, etc.," was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Earles, Graves, Gunn, Hemrich, Henry, Hunter, Hutson, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Baker, Christian, Davis, Hammer, Kennedy, Kinnear, Moore, Russell, Van de Vanter—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 95, entitled "An act relating to maintenance and trial of actions of those injured by intoxicated persons."

Also Senate substitute bill No. 188, entitled "An act providing for the irrigation, etc., of lands granted to the State," etc.

Also Senate bill No. 45, entitled "An act providing for the incorporation of cemetery associations," etc.

Also Senate bill No. 67, entitled "An act enabling coroners in coun-

ties having a population of 50,000 or more to appoint deputy coroners," etc.

Also Senate bill No. 129, entitled "An act providing for the extermination of coyotes and wolves in the State of Washington."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 129: An act providing for the protection and health of employes in factories, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—35.

Those voting nay were: Senators Davis, Kennedy, Moore—3.

Those absent or not voting were: Senators Baker, Russell, Smith (Dr. J. J.), Van de Vanter—4.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Condon the rules were suspended and House bills Nos. 262 and 129 ordered transmitted to the House immediately.

On motion of Senator Rands the Committee on Appropriations was excused from further consideration of Senate bill No. 246 and the bill was referred to the Committee on State Granted, School and Tide Lands.

At the request of Senator Welsh unanimous consent of the Senate was given to return to the order of business "Reports of Committees."

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 161, entitled "An act providing for the reappraisement of the tide lands in front of and adjacent to the city of South Bend, in the county of Pacific, State of Washington,"

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. G. POTTS, Chairman.

We concur in this report: J. R. O'Donnell, John T. Welsh, J. A. Veness, O. A. Tucker, John Earles, A. L. Watson.

Engrossed copy, Senate bill No. 206: An act authorizing county commissioners to transfer money remaining in the county treasury for the payment of warrants that have been called and not presented for payment, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators Baker, Condon, Russell, Van de Vanter, Veness—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 23: An act providing for the amendment of section 33, of article II of the constitution, relating to the ownership of lands by aliens, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Bronson, Brown, Christian, Clapp, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Welsh, Wilson—31.

Those voting nay were: Senators Boone, Bratt, Moore, Ruth, Watson—5.

Those absent or not voting were: Senators Baker, Condon, Kinnear, Russell, Sumner, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Stansell the rules were suspended and Senate bill No. 23 ordered transmitted to the House immediately.

On motion of Senator Pauly House bill No. 52 was indefinitely postponed.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

The House has passed House bill No. 340, entitled "An act making it a misdemeanor to sell or exchange property under representation that trading stamps giving premiums is to be part of transaction," etc.

Also House bill No. 284, entitled "An act to provide for the certifying by clerks to the county auditors a copy of ordinances," etc.

Also House bill No. 244, entitled "An act relative to the admission in evidence of tax deeds."

Also House bill No. 261, entitled "An act to amend an act to define and punish the crime of arson," etc.

Also House bill No. 312, entitled "An act to amend section 6480 of Ballinger's Annotated Codes and Statutes of Washington, relating to the adoption of legal heirs."

Also House bill No. 132, entitled "An act for the relief of Henry Sommers," etc.

Also House bill No. 359, entitled "An act to amend an act classifying the counties according to population," etc.

Also House bill No. 290, entitled "An act relating to the liability of a bank to a depositor in case of forgery."

Also House bill No. 153, entitled "An act to prohibit habitual drunkards from obtaining intoxicating liquors," etc.

Also House bill No. 216, entitled "An act to amend an act providing for the protection and propagation of food fishes," etc.

Also House bill No. 141, entitled "An act to amend an act providing for the organization and incorporation of companies for clearing out and improving rivers," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 140: An act concerning wages of labor, etc., was read third time.

On motion of Senator Palmer the words "so as" in line 3 of section 1, of the printed bill, were stricken out.

Senator Graves moved to amend by striking out the words "state of employment" in line 24 of section 1 and inserting in lieu thereof the words: "county where the labor was performed: provided, that a check may be given payable in an adjoining county when said place of payment is more convenient of access."

The amendment was carried.

On motion of Senator Clapp the vote by which the amendment offered by Senator Graves was carried, was reconsidered.

Senator Graves withdrew the amendment, unanimous consent being given.

On motion of Senator Moore the bill was amended as follows: by striking out the word "the" between the words "at" and "banks" in line 15 of section 1 of the printed bill and inserting in lieu thereof the word "a" and by striking out the words "of business of the employer" in line 16 of section 1 of the printed bill.

On motion of Senator Moore the bill was amended by striking out the words "state of the employment" in line 24 of section 1 of the engrossed bill, and inserting in lieu thereof the words "county where the labor was performed; provided, such order may be given payable in another county when the place of payment is more convenient of access to the employee."

The roll was called on final passage of the bill as amended and it passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators Baker, Henry, Russell, Sumner, Van de Vanter—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Tucker the rules were suspended and House bill No. 140 ordered transmitted to the House immediately.

Engrossed copy, Senate bill No. 213: An act to provide for the sale of beer only, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Bronson, Brown, Condon, Davis, Earles, Graves, Hammer, Hemrich, Hutson, Kinnear, Le Crone, Pauly, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Sumner, Tucker, Welsh—22.

Those voting nay were: Senators Boone, Bratt, Christian, Clapp, Gunn, Kennedy, Palmer, Pogue, Smith (S. T.), Veness, Watson, Wilson, Stewart—13.

Those absent or not voting were: Senators Baker, Henry, Hunter, Moore, O'Donnell, Russell, Van de Vanter—7.

On motion of Senator Graves the title was amended by striking out the words "to provide" and inserting in lieu thereof the words "relating to licenses" and also by striking from the title the word "only."

There being no objection the amended title of the bill was ordered to stand as the title of the act.

Engrossed copy, Senate bill No. 216: An act creating a judicial district in and for the State of Washington, etc., was read third time.

On motion of Senator Palmer the bill was amended by striking out the word "exist" in line 14 of section 4 of the engrossed bill and inserting in lieu thereof the word "consist."

On motion of Senator Palmer the bill was amended by inserting a comma and the word "Franklin" after the word "Adams" in line 14 of section 4 of the engrossed bill.

On motion of Senator Palmer the bill was amended by striking out the word "court" after the word "superior" in line 3 of section 7 of the engrossed bill and also by striking out the word "court" after the word "superior" in line 4 of section 7 of the engrossed bill.

The roll was called on final passage and Senate bill No. 216 passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Welsh, Wilson—32.

Those voting nay were: Senators Boone, Reed, Ruth—3.

Those absent or not voting were: Senators Baker, Hunter, Le Crone, Russell, Van de Vanter, Watson, Moore—7.

The emergency clause passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Ruth,

Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Senator Reed voted nay.

Those absent or not voting were: Senators Baker, Moore, Rasher, Russell, Van de Vanter—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Henrich the rules were suspended and Senate bill No. 213 ordered transmitted to the House immediately.

On motion of Senator Palmer Senate bill No. 169 was laid over until Tuesday afternoon, March 7, 1905.

On motion of Senator Hutson the rules were suspended and Senate bill No. 216 ordered transmitted to the House immediately.

Mr. A. N. Brown, private secretary to the Governor, appeared before the Senate and delivered the following

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 3, 1905.

To the Honorable, the Senate of the State of Washington:

GENTLEMEN—I have the honor to herewith submit a list of appointments, subject to your confirmation, made by me since assuming office:

Board of Trustees of State Normal School at Ellensburg—H. M. Baldwin of Ellensburg, appointed for the term ending June 26, 1910, succeeding himself, term expired.

Board of Trustees of the State Normal School at Whatcom—John J. Donovan, of Bellingham, appointed for the term ending June 12, 1905, succeeding J. C. Minton, resigned; also for the term ending June 12, 1911, succeeding himself.

Regents University of Washington—John P. Hartman of Seattle, appointed for the term ending on the second Monday in March, 1909, succeeding A. J. Blethen, resigned.

A. P. Sawyer of Seattle, appointed for the term ending the second Monday in March, 1908, succeeding W. E. Schricker, resigned.

Frank D. Nash of Tacoma, appointed for the term ending the second Monday in March, 1910, succeeding F. A. Hazeltine; appointment withdrawn.

J. F. Saylor of Spokane, appointed for the term ending the second Monday in March, 1910, succeeding Frank T. Post, appointment withdrawn.

State Board of Control—Henry T. Jones of Spokane, appointed for the term ending March 31, 1909, succeeding Ernest Lister, term expired.

James H. Davis of Tacoma, appointed for the term ending March 31, 1911, succeeding Grant Neal, appointment effective April 1, 1905.

Regents Agricultural College and School of Science (State College of Washington)—S. G. Cosgrove of Pomeroy, appointed for the term ending March 9, 1907, succeeding Herman D. Crow, resigned.

Frank J. Barnard of Seattle, appointed for the term ending March 9, 1909, succeeding himself, term expired.

State Fair Commission—L. O. Jeneck, appointed for the term ending March 22, 1905, succeeding A. J. Splawn, resigned; also for the term ending March 22, 1909, succeeding himself.

W. H. Cline, appointed for the term ending March 27, 1907, succeeding T. B. Gunn, term expired.

Z. Y. Coleman, appointed for the term ending March 27, 1907, succeeding J. E. Shannon, term expired.

Samuel J. Cameron, appointed for the term ending March 27, 1907, succeeding E. J. Wyman, appointment withdrawn.

G. J. Hill, appointed for the term ending March 22, 1905, succeeding W L. Wright, appointment withdrawn; also appointed for the term ending March 22, 1911, succeeding himself.

State Board of Dental Examiners—Dr. W. A. Fishburn of Ellensburg, appointed for the term ending March 1, 1907, succeeding himself, term expired.

Adjutant General—James A. Drain, appointed for the term ending January 10, 1909, succeeding himself.

State Board of Barber Examiners—Henry Schaller of Tacoma, appointed for the term ending February 14, 1908, succeeding Russell L. Ireland, term expired.

Lewis and Clark Exposition Commission of the State of Washington—

George H. Miller, of Centralia;

T. B. Sumner, of Everett;

Dr. J. J. Smith, of Enumclaw;

Carey L. Stewart, of Puyallup;

Huber Rasher, of Spokane;

Dr. W. H. Hare, of North Yakima.

A. M. Blaker, of Vancouver.

Very respectfully,

ALBERT E. MEAD, Governor.

On motion of Senator Welsh the matter of the confirmation of the appointments was taken up in open session.

The appointment of H. M. Baldwin as a member of the board of trustees of the State Normal School, at Ellensburg, for the term ending June 26, 1910, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson,

Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of John J. Donovan as a member of the board of trustees of the State Normal School at Whatcom, for the term ending June 12, 1905, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of John J. Donovan, as a member of the board of trustees of the State Normal School at Whatcom, for the term ending June 12, 1911, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of John P. Hartman as a regent of the University of Washington, for the term ending on the second Monday in March, 1909, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of A. P. Sawyer as a regent of the University of Washington for the term ending the second Monday in March, 1908, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Summer, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Van de Vanter, Smith (Dr. J. J.)—6.

The appointment of Frank D. Nash as a regent of the University of Washington for the term ending the second Monday in March, 1910, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Summer, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of J. F. Saylor as a regent of the University of Washington for the term ending the second Monday in March, 1910, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Summer, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of Henry T. Jones as a member of the state board of control for the term ending March 31, 1909, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of James H. Davis as a member of the state board of control for the term ending March 31, 1911, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of S. G. Cosgrove as regent of the Agricultural College and School of Science (State College of Washington) for the term ending March 9, 1907, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of Frank J. Barnard as regent of the Agricultural College and School of Science (State College of Washington) for the term ending March 9, 1909, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed,

Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of L. O. Janeck as a member of the state fair commission for the term ending March 22, 1905, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of L. O. Janeck as a member of the state fair commission for the term ending March 22, 1909, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of W. H. Cline as a member of the state fair commission for the term ending March 27, 1907, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of Z. Y. Coleman as a member of the state fair

commission for the term expiring March 27, 1907, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of Samuel J. Cameron as a member of the state fair commission for the term expiring March 27, 1907, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of G. J. Hill as a member of the state fair commission for the term ending March 22, 1905, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of G. J. Hill as a member of the state fair commission for the term ending March 22, 1911, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed,

Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of Dr. W. A. Fishburn as a member of the state board of dental examiners for the term ending March 1, 1907, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of James A. Drain as adjutant general for the term ending January 10, 1909, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of Henry Schaller as a member of the state board of barber examiners for the term ending February 14, 1908, was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Henrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of George H. Miller as a member of the

Lewis and Clark Exposition Commission of the State of Washington was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Summer, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of T. B. Summer as a member of the Lewis and Clark Exposition Commission of the State of Washington was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Summer, Van de Vanter—7.

The appointment of Dr. J. J. Smith as a member of the Lewis and Clark Exposition Commission of the State of Washington was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Summer, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of Carey L. Stewart as a member of the Lewis and Clark Exposition Commission of the State of Washington was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed,

Ruth, Smith (S. T.), Stansell, Summer, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Stewart, Smith (Dr. J. J.), Van de Vanter—7.

The appointment of Huber Rasher as a member of the Lewis and Clark Exposition Commission of the State of Washington was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Summer, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Baker, Christian, Graves, Rasher, Russell, Smith (Dr. J. J.), Van de Vanter—7.

The appointment of Dr. W. H. Hare as a member of the Lewis and Clark Exposition Commission of the State of Washington was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Summer, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

The appointment of A. M. Blaker as a member of the Lewis and Clark Exposition Commission of the State of Washington was confirmed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Summer, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Christian, Graves, Russell, Smith (Dr. J. J.), Van de Vanter—6.

Senate substitute bill No. 212 for Senate bill No. 97: An act requiring railroad companies and other common carriers to in-

clude in the weight of cars used for the shipment of lumber and other manufactured lumber products, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were Senators Baker, Christian, Gunn, Russell, Stansell, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Bronson the rules were suspended and Senate substitute bill No. 212 ordered transmitted to the House immediately.

Senate bill No. 194: An act to amend section 4736 of Ballinger's Annotated Codes and Statutes of Washington, relating to exemptions from jury duty, was read third time.

On motion of Senator Davis the bill was amended by striking out the words "and all persons over sixty years of age" in lines 6 and 7 of section 1 of the printed bill.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Clapp, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Sumner, Tucker, Veness, Welsh, Wilson—31.

Those voting nay were: Senators Graves, Palmer, Watson—3.

Those absent or not voting were: Senators Baker, Christian, Condon, Russell, Smith (S. T.), Stansell, Stewart, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 224: An act to amend section 1, chapter 69, Session Laws of 1903, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson,

Brown, Clapp, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stewart, Sumner, Veness, Welsh, Wilson—30.

Those voting nay were: Senators Christian, Kennedy, Watson—3.

Those absent or not voting were: Senators Baker, Condon, Davis, Palmer, Russell, Smith (S. T.), Stansell, Tucker, Van de Vanter—9.

On motion of Senator Graves the title of the bill was stricken out and the following inserted in lieu thereof; "An act permitting honorably discharged soldiers, sailors or marines, formerly in the service of the United States, to carry on certain businesses and amending section 1 of chapter 69, Session Laws of 1903."

There being no objection the above title was ordered to stand as the title of the act.

Senate bill No. 201: An act regulating the keeping and deposit of state funds, etc., was read third time.

On motion of Senator Moore the bill was amended by striking out the words "is hereby declared to exist" and inserting in lieu thereof the word "exists" in line 1 of section 4 of the printed bill.

The roll was called on final passage and Senate bill No. 201 passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Davis, Earles, Graves, Gunn, Hemrich, Henry, Hutson, Kennedy, Moore, Pauly, Pogue, Potts, Reed, Smith (Dr. J. J.), Stansell, Sumner, Wilson—23.

Those voting nay were: Senators Hammer, Le Crone, O'Donnell, Palmer, Ruth, Stewart, Watson, Welsh—8.

Those absent or not voting were: Senators Baker, Condon, Hunter, Kinnear, Rasher, Russell, Smith (S. T.), Tucker, Van de Vanter, Veness, Rands—11.

The emergency clause failed to pass by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Christian, Clapp, Condon, Davis, Earles, Hemrich, Kinnear, Moore, Pauly, Pogue, Potts, Reed, Ruth, Smith (Dr. J. J.), Sumner, Welsh—19.

Those voting nay were: Senators Graves, Hammer, Henry, Kennedy, Le Crone, Palmer, Stewart, Veness—8.

Those absent or not voting were: Senators Baker, Bronson, Gunn, Hunter, Hutson, O'Donnell, Rands, Rasher, Russell, Smith (S. T.), Stansell, Tucker, Van de Vanter, Watson, Welsh—15.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate memorial No. 8: Relating to the Olympic forest reserve, etc., was read third time.

On motion of Senator Kinnear the memorial was amended by inserting after the word "from" in line 17 of the printed memorial the words "fourteen miles from" and by striking out the words "forty-four" in line 18 of the printed memorial and inserting in lieu thereof the words "thirty-four," and by striking out the words "First Regiment Washington Volunteers" and inserting in lieu thereof the words "Fourteenth Regiment of United States Infantry" in line 20 of the printed memorial.

Senate memorial No. 8 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—37.

Senator Graves voted nay.

Those absent or not voting were: Senators Baker, Kennedy, Russell, Van de Vanter—4.

On motion of Senator Kinnear the rules were suspended and Senate memorial No. 8 was ordered transmitted to the House immediately.

Mr. A. N. Brown, private secretary to the governor, appeared before the Senate and delivered the following

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., March 3, 1905.

To the Honorable, the Senate:

I am directed by the Governor to inform you that he has this day approved the following measures:

Senate bill No. 129: An act to amend sections 1, 2, 3 and 6 of an act entitled "An act to provide for the extermination of coyotes and

wolves in the State of Washington, and for the payment of bounties for such extermination, and making an appropriation therefor," passed by the House notwithstanding the Governor's veto January 24, 1905, passed by the Senate notwithstanding the Governor's veto January 26, 1905, and filed in the office of the Secretary of State January 27, 1905, and providing for the extermination of other wild animals and the payment of bounties therefor.

Senate bill No. 95: An act amending sections 2945 of Ballinger's Codes and Statutes of Washington, and relating to the maintenance and trial of actions by persons injured in their persons, property or means of support, by intoxicated persons or in consequence of the Intoxication of persons.

Senate bill No. 45: An act to amend section 6 of an act entitled "An act making provisions for the incorporation of cemetery associations, defining their powers, and prescribing a penalty for injury to their property," approved March 6, 1899.

Senate bill No. 67: An act to enable coroners of counties having a population of fifty thousand or more inhabitants to appoint a deputy coroner for such counties and prescribe his duties.

Senate bill No. 188: An act providing for the irrigation, improvement and sale of lands granted to the State of Washington for any and all purposes and uses.

A. N. BROWN, Private Secretary.

On motion of Senator Welsh the Senate returned to the order of business, "Introduction of Bills."

INTRODUCTION OF BILLS.

House bill No. 359: An act to amend section 1 of an act entitled "An act to amend sections three to thirty-one, both inlcusive, of an act entitled 'An act classifying the counties according to population, etc.,'"

The bill was read the first time and on motion of Senator Reed the rules were suspended, the bill read the second time by title and referred to the Committee on County and County Boundaries.

House bill No. 290: An act relating to the liability of a bank to a depositor in case of forgery.

The bill was read the first time and on motion of Senator Rands the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 153: An act to amend an act entitled "An act to declare certain persons habitual drunkards, etc."

The bill was read the first time and on motion of Senator Bratt the rules were suspended, the bill was read the second time by title and referred to the Committee on Public Morals.

House bill No. 216: An act to amend sections 4 and 9 of an act of the legislature of the State of Washington, approved March 13, 1899, entitled "An act providing for the protection and propagation of food fishes in the waters of the State of Washington, etc."

The bill was read the first time and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House bill No. 141: An act to amend an act entitled "An act to provide for the organization and incorporation of companies for clearing out and improving rivers, etc."

The bill was read the first time and on motion of Senator Sumner the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 284: An act to provide for the certifying by clerks of cities and towns to the county auditors of their county for record a copy of ordinances affecting part or portions of recorded plats of cities or towns, and providing a penalty for the violation thereof.

The bill was read the first time and on motion of Senator Rands the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 244: An act relative to the admission in evidence of tax deeds.

The bill was read the first time and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 261: An act to amend section 3 of an act entitled "An act to define and punish the crime of arson, etc."

The bill was read the first time and on motion of Senator Rands the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 312: An act to amend section 6480 of Ballinger's Annotated Codes and Statutes of Washington, relating to the adoption of legal heirs.

The bill was read the first time and on motion of Senator Rands

the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 132: An act for the relief of Henry Sommers and making an appropriation therefor.

The bill was read the first time and on motion of Senator Clapp the rules were suspended, the bill was read the second time by title and referred to the Committee on Appropriations.

House bill No. 340: An act making it a misdemeanor to sell or exchange property, etc.

The bill was read the first time and on motion of Senator Graves the rules were suspended, the bill was read the second time by title and placed on general file.

On motion of Senator Sumner the Senate reverted to the order of business, "Reports of Committees."

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 227, entitled "An act relating to the issuance of licenses by counties, cities and towns for the sale or disposal of spirituous, fermented malt or other intoxicating liquors," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. B. SUMNER, Chairman.

We concur in this report: Charles T. Hutson, J. R. O'Donnell, A. Hemrich, G. B. Wilson, E. C. Bratt, J. A. Veness.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred House bill No. 250, entitled "An act for the relief of the holders of warrants drawn upon the 'State Normal School Fund,' provided for by an act of the legislature, approved March 7, 1895," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, Charles T. Hutson, John T. Welsh, O. A. Tucker, Will G. Graves, T. A. Hunter, R. M. Kinnear.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred House bill No. 250, entitled "An act for the relief of the holders of warrants drawn upon the 'State Normal School Fund,' provided for by an act of the legislature, approved March 7, 1895," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

WALTER CHRISTIAN.

Senator Palmer moved the adoption of the majority report.

Senator Christian moved as a substitute that the minority report be adopted.

The substitute was lost and the majority report was adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Manufactures, to whom was referred Senate bill No. 161, entitled "An act providing for the furnishing of cars to shippers and prescribing the time of loading and unloading of same, and providing a penalty," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

R. W. CONDON,
W. E. BRONSON,
S. T. SMITH.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Manufactures, to whom was referred Senate bill No. 161, entitled "An act providing for the furnishing of cars to shippers and prescribing the time of loading and unloading of same, and providing a penalty," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. HEMRICH, Chairman.

I concur in this report: G. B. Wilson.

On motion of Senator Smith (J. J.) Senate bill No. 161, with both the majority and minority reports of the Committee on Manufactures, was ordered placed on general file.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 142, entitled "An act in relation to deliveries of goods to consignees by common carriers," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, Charles T. Hutson, John T. Welsh, O. A. Tucker, Will G. Graves, T. A. Hunter, R. M. Kinnear.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 173, entitled "An act to provide for the disposition of the delinquent tax lists of the several counties of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee for immediate consideration.

T. B. SUMNER, Chairman.

We concur in this report: Charles T. Hutson, J. R. O'Donnell, A. Hemrich, G. B. Wilson, E. C. Bratt, J. A. Veness.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 187, entitled "An act exempting all real and personal property owned by any Greek Letter Fraternities connected with any college or institution of learning, from taxation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

T. B. SUMNER, Chairman.

We concur in this report: Charles T. Hutson, J. R. O'Donnell, A. Hemrich, G. B. Wilson, E. C. Bratt, J. A. Veness.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 238, entitled "An act amending section 2, and adding sections 4 and 5, relating to the duties of county assessors, county auditors, county surveyors and county commissioners in certain cases and providing for payment for certain surveys," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Strike out all of section 3.

T. B. SUMNER, Chairman.

We concur in this report: Charles T. Hutson, J. R. O'Donnell, A. Hemrich, G. B. Wilson, E. C. Bratt, J. A. Veness.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER.
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 246, entitled "An act providing for the preservation of forests of this State and for the control and suppression of forest fires, etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

W. G. POTTS, Chairman.

We concur in this report: J. R. O'Donnell, John T. Welsh, A. L. Watson, O. A. Tucker, John Earles, J. A. Veness.

On motion of Senator Tucker the report of the committee was adopted.

SENATE CHAMBER.
OLYMPIA, WASH., March 3, 1905.

MR PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 148, entitled "An act to provide for the organization of bonding and surety companies and to regulate their management," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended as follows, and placed on general file:

In line 3, section 4 of the printed bill, after the word "subscribed," insert the words "and twenty per cent. thereof paid in to the treasury of said corporation in cash." In line 4 of said section, after the word

"subscribers," insert the words "have so paid and." In line 6 of said section, after the word "state" strike the period, substitute a comma therefor and add the words "together with the bonds as hereinafter provided."

In line 4, section 6 of the printed bill, strike the word "Which," and begin the word "said" with a capital letter.

Add section 7 to said act as follows: "Sec. 7. Such corporation shall at all times maintain a reserve equal to twenty per cent. of its subscribed stock, which reserve shall be deposited with the state auditor in the form of duly approved bonds."

Add section 8 to said act as follows: "Sec. 8. Said corporation, organized as herein provided, shall comply with the general corporation and insurance laws of the State so far as same may be applicable, except as herein otherwise provided."

Add section 9 to said act as follows: "Sec. 9. Nothing in this act contained shall be construed to prevent the issuance and acceptance of surety bonds executed by duly organized corporations, domestic or foreign, authorized to do a surety business in this State."

E. M. RANDS, Chairman.

We concur in this report: T. A. Hunter, Wm. Hickman Moore, John T. Welsh, Will G. Graves, Charles T. Hutson, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

Senator Rands asked, and was granted, permission to introduce a resolution out of order.

On motion of Senator Rands the following resolution was adopted:

SENATE CONCURRENT RESOLUTION No. 21.

Resolved by the Senate, the House of Representatives concurring, That the Legislature and the people of the State of Washington congratulate Theodore Roosevelt upon his inauguration as President of the United States, and pledge our united support to his administration, which we believe will be conducted in the future, as in the past, in the interest of every part of this great country.

On motion of Senator Clapp the rules were suspended, and all bills passed by the Senate today were ordered transmitted to the House immediately.

At 4:20 p. m., on motion of Senator Sumner, the Senate adjourned until Monday, March 6, 1905.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, March 6, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senators Russell, excused, and Vande de Vanter, excused.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Reed, the following resolution was adopted.

Resolved, That the addresses delivered at the memorial services for the late Senator J. P. Sharp be spread at length upon the Senate journal, and that 500 copies be printed in pamphlet form for distribution.

The following communication from the Washington State Horticultural Association was read by the secretary and on motion of Senator Reed referred to the Committee on Appropriation:

WASHINGTON STATE HORTICULTURAL ASSOCIATION.

The following resolutions were unanimously adopted at the annual convention held at Wenatchee, Washington, January 4th, 5th and 6th, 1905:

WHEREAS, The fruit industry of Washington is one of the extensive, profitable and useful industries in the State, and

WHEREAS, The superior advantages of soil, climate and other conditions of the State of Washington are becoming so generally recognized as to attract the attention of those interested in the subject of fruit production from all parts of the world, and

WHEREAS, There exists in the State of Washington an organization created by virtue of the laws of the State, known as the Washington State Horticultural Association, the object of which is to foster and encourage the fruit industry, and

WHEREAS, Said association is composed of the leading thinkers and workers of the State along the line of fruit growing, and

WHEREAS, Money is required to maintain the association and to spread the results of its work to all interested throughout the State, which includes every citizen of the State, either as a producer or a consumer of fruit products, therefore

Resolved, That we recommend and petition the Legislature of the State of Washington to make a suitable and adequate appropriation of a sum of money from the public funds, not less than $1,000, for the purpose of assisting in defraying the annual expenses of the Washington State Horticultural Association.

Resolved, That we express our confidence in the Washington Agricultural College and School of Science and are proud of the great work it is doing for the interests of the State, and that we earnestly call upon the Legislature at its next session to make the fullest appropriation possible for the needs of this worthy institution, in order that it may carry out, not only its present work, but may plan for large necessary expansion in the future.

Resolved, That this association, which has ever been an ardent supporter of the Farmer's Institute, hereby petitions the Legislature to increase its appropriation for the ensuing two years to $6,000.

The following communication was read by the secretary and on motion of Senator Palmer referred to the Committee on Election and Privileges:

THE RENTON HILL IMPROVEMENT CLUB

SEATTLE, WASH., March 3, 1905.

Hon. E. B. Palmer, Olympia, Wash.

DEAR SIR—At a meeting of the Renton Hill Improvement Club, held last evening, the following resolution was adopted, to-wit:

"*Resolved*, That the secretary send a communication to be presented to the Senate and House at Olympia asking that the bill for a direct primary law be at once placed on the calendar of each house and that we urge its enactment into law."

The above resolution indicates the all but unanimous sentiment of the club members, about forty members being present and one only voting against the resolution.

The club also requested, by motion, that Hon. E. B. Palmer in the Senate and Hon. C. E. Vilas in the House present in open session the communication of the secretary conveying to them the position taken by the club on the direct primary law.

Yours very truly,

AUGUSTUS ARMSTRONG,

Secretary Renton Hill Improvement Club.

YOUNG MEN'S REPUBLICAN CLUB.

The following communication was read by the secretary and on motion of Senator Palmer referred to the Committee on Election and Privileges:

Be it resolved by the Executive Committee of the Young Men's Republican Club of King county, That this committee most heartily endorses the bill now pending in the present Legislature of the State of Washington, providing for a direct primary election law in the State of Washington, and approves the action of the members of said Legislature from King county in employing their efforts and influence in support of the passage of such bill and the enactment of such a law, pursuant to the instructions given to said representatives by the King county republican convention in May, 1904; and be it further

Resolved, That this committee urges all King county representatives in such Legislature to continue their active efforts in support of such bill, to the end that the same may be enacted into law during the present session of said Legislature.

EDGAR C. RAINE,
Chairman of Executive Committee.

Attest:

HARRY E. WILSON, Secretary.

Dated March 3, 1905.

The following bills were signed by the president: House bills Nos. 185, 13, 129, 99, 252 and 177; House substitute bill No. 6, House bills Nos. 262, 219, House substitute bill No. 154, House memorial No. 1.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom were referred Senate bill No. 121, entitled "An act appropriating the sum of six thousand dollars for the use and benefit of The Florence Crittenton and the White Shield Home rescue work for the State of Washington."

Also Senate bill No. 101, entitled "An act amending section 7109 of Ballinger's Annotated Codes and Statutes of Washington, relating to petit larceny and providing a penalty therefor."

Also Senate bill No. 107, entitled "An act to establish and maintain a State fish hatchery on the Humptulips river, Chehalis County, Washington."

Also Senate bill No. 60, entitled "An act donating to the City of Seattle all the shore lands and waters of Green lake in the City of Seattle, King County, State of Washington."

Also Senate bill No. 82, entitled "An act to provide for the erection of screens or canals on streams where State fish hatcheries are located, and providing a penalty for the violation thereof."

Also Senate bill No. 154, entitled "An act to prohibit the advertising of treatment or cure of venereal diseases and disorders, declaring the same a misdemeanor and prescribing a penalty therefor."

Also Senate bill No. 112, entitled "An act to establish a State fish hatchery on the Chehalis river in Lewis County, in the State of Washington."

Also Senate bill No. 68, entitled "An act empowering cities of the third and fourth class to levy and collect an annual street poll tax, and declaring an emergency."

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, H. Rasher, C. G. Brown, O. A. Tucker.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

OLYMPIA, WASH., March 4, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom were referred Senate bill No. 237, entitled "An act authorizing the execution on behalf of the State of Washington of bonds in judicial proceedings," etc.

Also amended Senate bill No. 228, entitled "An act relating to irrigation and storage of waters therefor," etc.

Also Senate bill No. 224, entitled "An act to amend section 1, chapter 69, Session Laws 1903," etc.

Also Senate bill No. 216, entitled "An act relating to the superior court of the Counties of Adams, Franklin, Yakima, Kittitas and Lincoln," etc.

Also Senate bill No. 201, entitled "An act regulating the keeping and deposit of municipal funds."

Also Senate bill No. 148, entitled "An act to provide for the organization of bonding and surety companies," etc.

Also Senate bill No. 213, entitled "An act relating to licenses for the sale of beer."

Have compared the same with the original bill and find them correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: R. W. Condon, Charles T. Hutson.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 153, entitled "An act to amend an act entitled 'An act to declare certain persons habitual drunkards,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. C. BRATT, Chairman.

We concur in this report: A. L. Watson, S. M. Le Crone, E. B. Palmer, H. M. Boone.

On motion of Senator Bratt the report of the committe was adopted.

OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 95, entitled "An act in relation to spendthrifts and drunkards," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. C. BRATT, Chairman.

We concur in this report: A. L. Watson, S. M. Le Crone, E. B. Palmer, H. M. Boone.

On motion of Senator Bratt the report of the committe was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 247, entitled "An act to amend section 1 of an act to authorize and regulate the paroling of convicts, approved March 3, 1899," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, Wm. Hickman Moore, John T. Welsh, Walter Christian, O. A. Tucker.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 72, entitled "An act to amend sections 2, 13 and 14 of an act entitled 'An act to provide for and regulate the registration of voters in cities and towns and precincts having a voting population of two hundred and fifty or more,' approved March 27, 1890," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In the title of the printed bill, after the words "An act," strike out the remainder of said title and substitute the following: "Relating to the registration of voters, and amending sections 1450, 1451, 1455, 1460 and 1461 of Ballinger's Annotated Codes and Statutes of Washington."

In line 1, section 1, of the printed bill, beginning with the figure "2," strike the remainder of line 1 and all of lines 2 and 3, and substitute therefor the words and figures "1450 of Ballinger's Annotated Codes and Statutes of Washington." In line 4 of said section, strike the figure "2" and substitute the figures "1450" therefor.

In line 1, section 2, of the printed bill, beginning with the figure "1," strike the remainder of line 1 and all of lines 2, 3, 4 and 5, to and including the word "to-wit," and substitute therefor the following: "1451 of Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:"

In line 1, section 3, of the printed bill, beginning with the figure "3," strike the remainder of line 1 and all of lines 2, 3, 4, 5, 6 and 7, to and including the word "follows," and substitute therefor the following: "1455 of Ballinger's Annotated Codes and Statues of Washington be amended to read as follows:" In line 7 of said section strike the quotation marks before the word "section." In line 29 of said section strike the quotation marks after the word "thereto."

In line 1, section 4, of the printed bill, beginning with the figures "13," strike the remainder of said line and all of lines 2 and 3, and substitute therefor the words and figures "1460 of Ballinger's Annotated Codes and Statutes of Washington." In line 4 of said section strike the figures "13" and substitute the figures "1460" therefor.

In line 1, section 5, of the printed bill, beginning with the figures "14." strike the remainder of line 1 and all of lines 2 and 3, and substitute the following words and figures: "1461 of Ballinger's Annotated Codes and Statutes of Washington." In line 4 of said section strike the figures "14" and substitute the figures "1461" therefor.

E. M. RANDS, Chairman.

We concur in this report: E. B. Palmer, Charles T. Hutson, Wm. Hickman Moore, Walter Christian, O. A. Tucker, John T. Welsh, Will G. Graves, T. A. Hunter.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No 254, entitled "An act to provide for a season in the State of Washington to prohibit the sale or canning thereof and fixing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Was corrected from the original bill.

JOHN T. WELSH, Chairman.

We concur in this report: R. W. Condon, Wm. Hickman Moore, A. L. Watson, E. Hammer, Jno. Earles, T. B. Sumner, W. G. Potts, Lincoln Davis.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 201, entitled "An act to provide for a close season for clams in the waters of Puget Sound and the waters in Chehalis and Pacific Counties, in the State of Washington, for the purpose of sale or canning, and fixing a penalty for the violation of the same and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

JOHN T. WELSH, Chairman.

We concur in this report: R. W. Condon, Wm. Hickman Moore, A. L. Watson, E. Hammer, Jno. Earles, T. B. Sumner, W. G. Potts, Lincoln Davis.

On motion of Senator Welsh the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 69, entitled "An act to establish a fish hatchery on the east fork of Lewis river," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: R. W. Condon, Wm. Hickman Moore, A. L. Watson, E. Hammer, Jno. Earles, T. B. Sumner, W. G. Potts, Lincoln Davis.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 216, entitled "An act to amend sections 6 and 9 of an act of the Legislature of the State of Washington, approved March 13, 1899, entitled 'An act providing for the protection and propogation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws and declaring an emergency,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Insert immediately following the last word in section 2 of the engrossed bill the following: "*Provided, however*, That in the Columbia river and its tributaries, Willipa Harbor and its tributaries, Grays Harbor and its tributaries, any person or corporation, after first having obtained a license, as provided for in this act, shall indicate locations for traps or pound nets made under such license, by driving at least three substantial piles thereon, which must extend not less than ten feet above the surface of the water at high tide, one of said piles to be driven at each end of the location claimed, and upon said terminal piles there must be posted the license number, and if the locator fails to construct his appliance during the fishing season covered by his license, said location shall be deemed abandoned. After any such trap or pound net has been located, the owner thereof may file a description thereof sufficient for identification with the fish commissioner, and shall thereafter have the exclusive right to fish such location and to sell and transfer such right during such time as the locator or owner of such right shall comply with the requirements of the law pertaining thereto in other respects. Locations for drag seines may be made by driving a substantial stake or erecting a permanent monument at each end of the location claimed and posting thereon the number of the license under which such drag seine is operated: *Provided*, That no seine location, the title to which is in the State, shall occupy a greater space than twice the length of the seine covered by above license. Locations for set nets may be made by erecting a permanent monument or securely anchoring a buoy on the location claimed, upon which shall be posted the number of the license under which such set net is operated: *Provided*, There shall be a lateral passage way of at least three hundred feet and an end passage way of thirty feet between all set nets. No fishing appliance or device of any kind whatsoever located or used upon any streams or rivers of this State shall, either by a lead or any parts of said appliance occupy more than one-third of the width of such streams or rivers."

JOHN T. WELSH, Chairman.

We concur in this report: R. W. Condon, A. L. Watson, E. Hammer, Jno. Earles, T. B. Sumner, W. G. Potts, Lincoln Davis.

On motion of Senator Welsh the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 337, entitled "An act amending sections 6, 7 and 7½ (being sections 5278, 5279 and 5288 of Pierce's Washington Code) of an act providing for the protection and propogation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws and declaring an emergency, approved March 13, 1899; also amending," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 49, section 1, of the printed bill, after the word "license" insert the following words: "And shall be renewed upon application upon payment of the license fees as provided by this act."

In line 50, section 1, of the printed bill, after the word "expiration" insert the following words: "And shall likewise be renewed to expire on March 31st following the issuance of such licenses."

In line 19, section 4, of the engrossed bill, strike out the word "waters" and insert in lieu thereof the word "tributaries"; also in line 19, section 4, of the engrossed bill, strike out the words "or its"; also in line 20, section 4, of the engrossed bill, strike the word "tributaries."

JOHN T. WELSH, Chairman.

We concur in this report: R. W. Condon, A. L. Watson, Lincoln Davis, E. Hammer, Jno. Earles, T. B. Sumner, W. G. Potts.

On motion of Senator Welsh the report of the committee was adopted.

On motion of Senator Welsh, House bills Nos. 337, 216, 254 and 201, and Senate bill No. 231 were made special order for 2:30 o'clock p. m., Tuesday, March 7th, 1905.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred House bill No. 96, entitled "An act for an act relating to justices of the peace and constables in cities of the first class, providing for their election and appointment, and fixing their salaries and declaring an emergency," have had the same under consideration, and we respect-

fully report the same back to the Senate with the recommendation that it be placed on general file.

WALTER CHRISTIAN, Chairman.

We concur in this report: W. G. Potts, W. E. Bronson, R. M. Kinnear, C. G. Brown, Jno. Earles, T. B. Sumner.

On motion of Senator Christian the report of the committee was adopted.

GENERAL FILE.

Senate bill No. 184: An act making appropriations for the salaries and expenses of the State Board of Control and for the maintenance and sundry expenses of the various State penal institutions, etc.

On motion of Senator Rands the Senate resolved itself into a committee of the whole to consider the House amendments to Senate bill No. 184.

The bill was considered in the committee of the whole, Senator Smith (Dr. J. J.) in the chair, and reported back to the Senate with the recommendation that the Senate concur in the House amendments.

On motion of Senator Smith (Dr. J. J.) the report of the committee of the whole was adopted.

The roll was called and the Senate concurred in the House amendments to Senate bill No. 184 by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Pauly, Pogue, Potts, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Watson, Wilson—33.

Those absent or not voting were: Senators Hemrich, Henry, O'Donnell, Palmer, Rands, Russell, Van de Vanter, Veness, Welsh—9.

The following bills were signed by the president: Senate bills Nos. 101, 121, 107, 60, 82, 154, 112 and 68.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 233, entitled "An act appropriating $10,000 for Legislative expenses," and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

The House has passed House bill No. 170, entitled "An act to amend 'An act to create a State oyster commission,'" etc.

Also House bill No. 308, entitled "An act relating to local improvements."

Also House bill No. 327, entitled "An act to amend an act providing for the levy, collection and payment of road, bridge, poll and property taxes," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

The House has passed House bill No. 258, entitled "An act to provide for the formation of banking corporations," etc.

Also House bill No. 237, entitled "An act providing for the payment to lessees of tide lands, by subsequent lessees of all improvements," etc.

Also House bill No. 76, entitled "An act fixing the fees to be paid to the secretary of state by corporations," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

The speaker has signed House bill No. 219, entitled "An act amending an act defining forcible entry," etc.

Also House substitute bill No. 154, entitled "An act to secure and perpetuate liens upon chattels," etc.

Also House bill No. 177, entitled "An act amending the Code of Public Instruction," etc.

Also House bill No. 252, entitled "An act amending an act to provide for the establishment and creation of diking districts," etc.

Also House bill No. 99, entitled "An act amending an act providing for the incorporation of mutual fire insurance companies."

Also House bill No. 129, entitled "An act providing for the protection and health of employees in factories," etc.

Also House bill No. 262, entitled "An act to amend an act creating a bureau of labor," etc.

Also House memorial No. 1, relating to the Quinault Indian reservation.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 21, congratulating Theodore Roosevelt upon his inauguration as president, etc.

Also Senate joint memorial No. 7, relating to the granting of substantial recognition for services rendered during the Indian uprising in 1856.

Also Senate joint memorial No. 4, relating to the irrigation of certain lands along the east bank of the Columbia river, etc.

Also Senate joint memorial No. 3, relating to the improvement of the Pend d'Oreille river, etc.

Also Senate joint memorial No. 6, relating to certain irrigation projects.

Also House memorial No. 7, memorializing Congress to early enact such laws as shall encourage the National Good Roads movements.

Also House memorial No. 8, in relation to the pensions granted to veterans of the Indian wars of 1855 and 1856.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

The House has indefinitely postponed Senate bill No. 150, entitled "An act for the preservation of the salmon fishing industry of the State of Washington."

The House has declined to recede from its amendments to Senate bill No. 90, entitled "An act to provide for a system of registration of births and deaths," and has appointed a conference committee consisting of Messrs. Crane, Sheets and Falconer.

The House refuses to concur in Senate amendments to House bill No. 53, entitled "An act to enable counties, cities and towns to validate certain warrants," and the Senate is asked to recede therefrom. Senate bill No. 53 is herewith transmitted.

The House has concurred in Senate amendments to House bill No. 157, entitled "An act relating to the sale of dairy products."

The speaker has signed House bill No. 13, entitled "An act providing for the care of defective and feeble minded youth," etc.

Also House bill No. 185, entitled "An act providing for the rate of interest to be paid on certain bonds of Island County," etc.

Also House substitute bill No. 6, entitled "An act to establish a railroad commission," etc.

Also House bill No. 203, entitled "An act relating to the incorporation of companies to build toll logging roads," etc.

The House has passed House bill No. 325, entitled "An act amending an act relating to the taxation of inheritances," etc.

Also House bill No. 35, entitled "An act providing for collection of an excise tax from express companies," etc.

Also House bill No. 173, entitled, "An act providing for the taxation of mines and mining claims," etc.

Also House bill No. 330, entitled "An act relating to poison," etc.

Also House bill No. 257, entitled "An act for the relief of P. M. Troy and others," etc.

Also Senate bill No. 233, entitled "An act appropriating $10,000 for Legislative expenses," etc.

Also House bill No. 375, entitled "An act providing for the transportation of convicts," etc.

Also House substitute bill No. 46, entitled "An act in relation to larceny," etc.

Also House bill No. 238, entitled "An act relating to the changing of corporate names."

Also House bill No. 186, entitled "An act for the relief of P. Hanson," etc.

Also House bill No. 187, entitled "An act for the relief of R. Stevenson," etc.

The speaker has signed Senate bill No. 112, entitled "An act to establish a fish hatchery on the Chehalis river."

Also Senate bill No. 82, entitled "An act providing screens for irrigating ditches."

Also Senate bill No. 154, entitled "An act to prohibit advertising treatment of certain diseases."

Also Senate bill No. 107, entitled "An act to establish and maintain a fish hatchery on the Humptulips river."

Also Senate bill No. 101, entitled "An act to define petit larceny and fixing penalty therefor."

Also Senate bill No. 121, appropriating $6000 for the Florence Crittenton Home, etc.

Also Senate bill No. 60, entitled "An act donating to the City of Seattle all the shore lands of Green lake," etc.

Also Senate bill No. 68, entitled "An act empowering cities to collect poll taxes," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senate bill No. 185: An act making appropriations for certain deficiencies for fiscal periods prior to March 31, 1905, and for other purposes.

On motion of Senator Rands the Senate resolved itself into a committee of the whole to consider the House amendments to Senate bill No. 185.

The bill was considered in the committee of the whole, Senator Rands in the chair, and reported back to the Senate with the recommendation that the Senate concur in the House amendments.

On motion of Senator Rands the report of the committee of the whole was adopted.

The roll was called and the Senate concurred in House amendments to Senate bill No. 185 by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators Hemrich, O'Donnell, Russell, Stansell, Van de Vanter—5.

SPECIAL ORDER.

The hour of 11 o'clock a. m. having arrived the Senate considered House bill No. 36 and Senate bill No. 42.

On motion of Senator Graves the Senate resolved itself into a committee of the whole to consider House bill No. 36 and Senate bill No. 42.

The bills were considered in the committee of the whole, Senator Tucker in the chair, and House bill No. 36 was reported back to the Senate with the recommendation that it do pass.

On motion of Senator Tucker the report of the committee of the whole was adopted.

Mr. A. N. Brown, private secretary to the Governor, appeared before the Senate and delivered the following:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 6, 1905.

To the Honorable, the Senate of the State of Washington:

I am directed by the Governor to inform you that he has this day approved Senate bill No. 233, entitled:

"An act appropriating the sum of ten thousand dollars, or so much thereof as may be necessary, for the expenses of the ninth Legislature."

A. N. BROWN, Private Secretary.

Senator Christian moved that the rules be suspended, that the reading of House bill No. 36 had in the committee of the whole be considered the third reading and the bill placed on final passage.

Senator Ruth moved as a substitute that the rules be suspended, that the reading had in the committee of the whole of Senate bill No. 42 be considered the third reading and that Senate bill No. 42 be placed on final passage.

The following Senators demanded a roll call on the substitute motion: Senators Watson, Condon, Ruth, Graves, Moore, Davis, Boone, Potts.

The president (Senator Baker, president pro tem, in the chair), ruled that the substitute motion of Senator Ruth was out of order for the reason that Senate bill No. 42 had not been reported back from the committee of the whole.

Senator Ruth appealed from the decision of the chair.

The following Senators demanded a roll call on the appeal: Senators Boone, Ruth, Moore, Potts, Condon, Earles, Rasher, Graves.

The roll was called and the ruling of the chair was sustained by the following vote:

Those voting yea were: Senators Bronson, Christian, Clapp, Davis, Hammer, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Palmer, Pauly, Pogue, Rands, Reed, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Welsh, Wilson—24.

Those voting nay were: Senators Boone, Bratt, Brown, Con-

don, Earles, Graves, Gunn, Henry, Moore, O'Donnell, Potts, Rasher, Ruth, Watson—14.

Those absent or not voting were: Senators Baker, Russell, Van de Vanter, Veness—4.

Senator Graves moved that Senate bill No. 42 be withdrawn from the committee of the whole, be substituted for House bill No. 36, read third time and placed on final passage.

A roll call on the motion of Senator Graves was demanded by the following Senators: Moore, Graves, Ruth, Earles, Bratt, Boone, Gunn.

The roll was called and the motion was lost by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Condon, Earles, Graves, Gunn, Henry, Le Crone, Moore, Rasher, Ruth, Veness, Watson—14.

Those voting nay were: Senators Baker, Bronson, Christian, Clapp, Davis, Hammer, Hemrich, Hunter, Hutson, Kennedy, Kinnear, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Welsh, Wilson—26.

Those absent or not voting were: Senators Russell, Van de Vanter—2.

By unanimous consent, Senator Christian withdrew his motion that the rules be suspended, and the reading of House bill No. 36 in the committee of the whole be considered the third reading of the bill and the bill placed on final passage.

Senator Christian moved that House bill No. 36 be read third time and placed on final passage.

The motion was carried.

On motion of Senator Smith (Dr. J. J.) the rules were suspended and the reading of House bill No. 36 had in the committee of the whole was considered the third reading of the bill, and the bill was considered open for amendment.

The roll was called on final passage and House bill No. 36 passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Christian, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone,

O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh Wilson—35.

Those voting nay were: Senators Bratt, Brown, Graves, Moore, Rasher—5.

Those absent or not voting were: Senators Russell, Van de Vanter—2.

When Senator Ruth's name was called on the roll he made the following statement:

"The State platform of the Republican party pledged its faith for the creation of a State tax commission. I regard the bill now being voted on as a weak and insufficient measure. By the action of this body, just taken, a strong and effective tax commission bill was put out of the running, leaving no tax commission bill to be voted upon but the one now before us. Because there is no other measure which can pass, and because the platform pledges me to vote for a State tax commission bill, I shall vote yea."

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Christian the rules were suspended and House bill No. 36 ordered transmitted to the House immediately.

On motion of Senator Palmer the Senate reconsidered the vote by which it concurred in the House amendments to Senate bill No. 185.

Senator Palmer moved that the Senate do not concur in the House amendments to Senate bill No. 185, and that the House be requested to recede from its amendments.

The motion was carried.

On motion of Senator Rands, at 3:45 p. m. the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-EIGHTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, March 7, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. W. S. Crockett offered prayer.

The secretary called the roll, all members being present except Senator Van de Vanter, excused.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Rands the following resolution was adopted:

WHEREAS, The importance of having a suitable staff of employes of the Senate, who shall perform their duties promptly and with the requisite skill and ability, is recognized as a necessity for the proper and orderly conduct of the business of the Senate, and,

WHEREAS, Such staff should be employed and organized with a due regard to efficiency and economy, results which do not seem to be certain, under the system heretofore adopted; now, therefore, be it

Resolved, That a committee consisting of five Senators, who will be in the tenth Legislature, and to which the Lieutenant Governor shall be added as ex-officio chairman, be appointed to formulate and present to the Senate prior to its organization at the next session a comprehensive plan for the organization of a sufficient staff of employes for carrying on the work of the Senate, which plan shall include the entire number to be employed, and shall specify the compensation which, in the opinion of said committee, may be just and necessary to secure the services of persons of skill and ability.

Senate concurrent resolution No. 22, by Senator Rands:

WHEREAS, There is to be held, during the summer of 1905, at the neighboring city of Portland, Oregon, the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, and,

WHEREAS, Said exposition is of special interest to the people of the State of Washington, and it is fitting and proper that special recognition be given it on the part of the Legislature and the people of this State, and,

WHEREAS, The Congress of the United States has appointed a special committee to visit the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair officially, and similar action has been taken by the Legislatures of California and other states; therefore, be it

Resolved, By the Senate, the House of Representatives concurring, that a joint committee of seven members on the part of the Senate, and the Lieutenant Governor, and nine members on the part of the House of Representatives, including the speaker, be appointed to officially visit the said exposition in company with the Governor and his staff;

Resolved, That the joint committee on appropriations be requested to insert an item in the general appropriation bill to cover the probable expenses of an official visit to the Lewis and Clark Exposition by the Governor and his staff and the Legislative committee of the State of Washington.

On motion of Senator Rands, Senate concurrent resolution No. 22 was adopted.

Mr. A. N. Brown, private secretary to the Governor, appeared before the Senate and delivered the following:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 6, 1905.

To the Honorable, the Senate of the State of Washington:

I am directed by the Governor to inform you that he has this day approved the following measures:

Senate bill No. 60: An act donating to the City of Seattle all the shore lands and waters of Green lake in the City of Seattle, King County, State of Washington.

Senate bill No. 82: An act to provide for the erection of screens or grills at the head of irrigating flumes, ditches or canals on streams where State fish hatcheries are located, for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches or canals, and providing a penalty for the violation thereof.

Senate bill No. 112: An act to establish a State fish hatchery on the Chehalis river, in Lewis County, in the State of Washington.

Senate bill No. 154: An act to prohibit the advertising of treatment or cure of venereal diseases and disorders, declaring the same a misdemeanor and prescribing a penalty therefor.

Senate bill No. 101: An act amending section 7109 of Ballinger's Annotated Codes and Statutes of Washington, relating to petit larceny and providing a penalty therefor.

Senate bill No. 107: An act to establish and maintain a State fish hatchery on the Humpstulips river, Chehalis County, Washington.

Senate bill No. 68: An act empowering cities of the third and fourth class to levy and collect an annual street poll tax, and declaring an emergency.

Senate bill No. 121: An act appropriating the sum of six thousand dollars ($6,000.00) for the use and benefit of the Florence Crittenton and the White Shield Home rescue work for the State of Washington.

A. N. BROWN, Private Secretary.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate memorial No. 8, have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, W. E. Bronson.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom were referred Senate bill No. 233, entitled "An act appropriating the sum of ten thousand dollars, or so much thereof as may be necessary, for the expenses of the ninth Legislature."

Senate joint memorial No. 6, relating to certain irrigation projects.

Senate joint memorial No. 3, relating to improvement of the Pend d'Oreille river," etc.

Senate joint memorial No. 4, relating to the irrigation of certain lands along the east bank of the Columbia in Stevens county.

Senate bill No. 184, entitled "An act making appropriations for the salaries and expenses of the state board of control and for the maintenance and sundry expenses of the various State penal, reformatory and charitable institutions for the fiscal term beginning April, 1905, and ending March 31, 1907."

Senate bill No. 177, entitled "An act to create the County of Benton,

subject to the requirements of the State constitution and statutes in respect to the establishment of new counties."

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, H. Rasher.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 231, entitled "An act authorizing the board of regents of the University of Washington to establish and maintain a State fish hatchery on Lake Washington, King County, Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. H. BAKER, Chairman.

We concur in this report: G. B. Wilson, E. Hammer, T. A. Hunter, H. Rasher, O. A. Tucker, C. F. Clapp, T. B. Sumner.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 245, entitled "An act providing for the building of a bridge across the Columbia river at or near the City of Wenatchee and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it go on general file with the following amendments:

Section 1. In line 1 of the printed bill strike out the word "road" and in lieu thereof insert the words "public highway," in line 6 of the printed bill strike out the period after "warrants" and in lieu thereof insert a semi-colon and then add "*Provided, further*, said bridge commission may receive private donations or additions to the fund herein appropriated and to expend the same under the authority of this act for the purpose herein provided for.

Section 2. In line 7 of the printed bill strike out the words "bridge commission" and in lieu thereof insert the word "member."

C. L. STEWART, Chairman.

We concur in this report: E. Hammer, Fred M. Pauly, E. C. Bratt, Walter Christian, Geo. A. Kennedy, S. T. Smith, J. A. Veness.

On motion of Senator Stewart the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred House bill No. 359, entitled "An act to amend section 1 of an act entitled 'An act to amend sections 3 to 31, both inclusive, of an act entitled "An act classifying the counties according to population, enumerating the county officers, fixing salaries thereof, providing for deputies, collection of fees and payment of salaries," received by the Governor March 26, A. D. 1890,' approved March 20, 1895, the same being section 1565 of Ballinger's Annotated Codes and Statutes of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In line 14 of section 3 of the printed bill, strike the words "two thousand dollars" and insert the words "twenty-four hundred dollars" in lieu thereof.

WALTER J. REED, Chairman.

We concur in this report: Charles T. Hutson, Arthur Gunn, Fred M. Pauly, H. M. Boone.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 256, entitled "An act to provide for the sending of non-resident insane persons to their place of residence at the expense of the State," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on the general file.

GEO. H. BAKER, Chairman.

We concur in this report: E. Hammer, H. Rasher, E. M. Rands, T. B. Sumner, C. F. Clapp.

On motion of Senator Baker the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 209, entitled "An act appropriating the sum of five thousand dollars for the expense in connection with the suit about to be insti-

tuted by the State of Washington against the State of Oregon to determine the boundary line between said states," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on the general file.

GEO. H. BAKER, Chairman.

We concur in this report: E. Hammer, H. Rasher, E. M. Rands, T. B. Sumner, C. F. Clapp.

On motion of Senator Baker the report of the committee was adopted.

On motion of Senator Welsh, Senate bill No. 209 was made special order for 3:30 o'clock this afternoon.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 132, entitled "An act for the relief of Henry Sommers and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on the general file.

GEO. H. BAKER, Chairman.

We concur in this report: E. Hammer, H. Rasher, E. M. Rands, T. B. Sumner, C. F. Clapp.

On motion of Senator Baker the report of the committee was adopted.

INTRODUCTION OF BILLS.

House memorial No. 7, relating to the granting of substantial recognition for services during Indian uprising.

The memorial was read the first time, and on motion of Senator Baker the rules were suspended, the memorial was read the second time by title and referred to the Committee on Roads and Bridges.

House memorial No. 8, relating to pensions of veterans of the Indian wars of 1855 and 1856, etc.

The memorial was read the first time, and on motion of Senator Baker the rules were suspended, the memorial was read the second time by title and referred to the Committee on Memorials.

House bill No. 173: To provide for the taxation of mines and mining claims.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title and referred to the Committee on Constitution and Constitutional Revision.

House bill No. 258: An act to provide for the formation of banking corporations and to regulate the business of banking and securing State supervision thereof, etc.

The bill was read first time, and on motion of Senator Smith (S. T.) the rules were suspended, the bill was read second time by title and ordered substituted on the calendar for Senate bill No. 138.

House bill No. 308: An act amending sections 1117 and 1118 of Ballinger's Annotated Codes and Statutes of the State of Washington relating to local improvements by special assessments and declaring an emergency.

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 330: An act in relation to poisons and prohibiting the combination of poisonous substances with crackers, etc.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title and referred to the Committee on Medicine, Dentistry and Hygiene.

House bill No. 257: An act for the relief of P. M. Troy, James B. Murphy and James B. Bridges, etc.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 327: An act to amend section 1 of an act entitled "An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes, etc."

The bill was read the first time, and on motion of Senator Stewart the rules were suspended, the bill was read the second time by title and referred to the Committee on Public Revenue and Taxation.

House bill No. 170: An act to amend section 14, chapter 166,

Sessions Laws of 1903, of an act entitled "An act to create a State oyster commission, etc."

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House bill No. 375: An act providing for the transportation of convicts to the State penitentiary, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title and referred to the Committee on State Penal Institutions.

House substitute bill No. 46: An act in relation to larceny and prescribing the punishment for the theft of a bicycle.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 187: An act for the relief of R. Stevenson, etc.

The bill was read the first time, and on motion of Senator Reed the rules were suspended, the bill was read the second time by title and referred to the Committee on Claims and Auditing.

House bill No. 76: An act fixing the fees to be paid to the secretary of State by corporations doing business in this State, etc.

The bill was read the first time, and on motion of Senator Hunter the rules were suspended, the bill was read the second time by title and referred to the Committee on Corporations other than Municipal.

House bill No. 186: An act for the relief of P. Hanson, etc.

The bill was read the first time, and on motion of Senator Ruth the rules were suspended, the bill was read the second time by title and referred to the Committee on Claims and Auditing.

House bill No. 237: An act providing for the payment to lessees of tide lands belonging to the State, etc., and declaring an emergency.

The bill was read the first time, and on motion of Senator

Ruth the rules were suspended, the bill was read the second time by title and referred to the Committee on State, Granted, School and Tide Lands.

House bill No. 35: An act providing a method for the assessment and collection of an excise tax from express companies doing business in this State.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Public Revenue and Taxation.

House bill No. 325: An act to amend sections 13 and 15 of an act entitled "An act relating to the taxation of inheritances, etc."

The bill was read the first time, and on motion of Senator Tucker the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

The following bills were signed by the president: Senate bills Nos. 184 and 177, Senate memorials Nos. 3, 4 and 6.

GENERAL FILE.

Engrossed copy, Senate bill No. 196: An act to amend an act relating to the creating of a State oyster commission, etc., was read third time.

On motion of Senator Ruth the bill was amended by striking out the word "sixty" in line 33 of section 1 of the printed bill and inserting in lieu thereof the word "forty."

Senator Graves moved to amend the bill by striking out the following, beginning with the word "the" in line 25 of section 1 of the printed bill to and including the word "lands" in line 32 of section 1 of the printed bill and inserting in lieu thereof the following, "said lands shall be sold at public auction to the highest bidder, as other State lands are sold."

The amendment was lost.

Senate bill No. 196 passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Christian, Clapp, Davis, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue,

Potts, Rands, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Watson, Wilson—28.

Those voting nay were: Senators Bratt, Brown, Condon, Earles, Graves, Gunn, Rasher, Reed, Welsh—9.

Those absent or not voting were: Senators Boone, Moore, Smith (Dr. J. J.), Van de Vanter, Veness—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

The House has passed House bill No. 361, entitled, "An act authorizing cities and towns to acquire water works," etc.

Also House bill No. 272, entitled "An act relating to pedlers," etc.

Also House bill No. 281, entitled "An act defining the practice of veterinary medicine," etc.

Also House bill No. 241, entitled "An act providing for the protection of shrimps," etc.

Also House bill No. 240, entitled "An act to prevent fish stealing," etc.

Also House bill No. 288, entitled "An act in relation to the recovery of damages for the death of a person," etc.

Also House substitute bill No. 22, entitled "An act regulating life insurance companies," etc.

Also House bill No. 334, entitled "An act relating to damages caused by fire caused by steam engines," etc.

Also House bill No. 278, entitled "An act providing for the right of way and easement for the development of mines," etc.

Also House bill No. 291, entitled "An act relating to the relief of indigent soldiers," etc.

Also Senate bill No. 1, entitled "An act regulating passenger rates on common carriers," etc., with the following amendments:

Amend title of Senate bill No. 1 to conform to the title of House bill No. 3, which reads:

"An act regulating and fixing the maximum railroad passenger rates in the State of Washington, and providing for the due enforcement and observance of the rates so fixed."

In line 1, section 1 of printed bill, strike out the words "or other common carrier."

In lines 1 and 2 of section 2 of printed bill, strike out the words "or other common carrier."

In line 1, section 3 of printed bill, strike out the words "or other common carrier."

In line 1 of section 4 of printed bill, strike out the words "or other common carrier."

In lines 11 and 12, section 2 of printed bill, strike out the words "or other common carrier."

"In line 14, section 2 of printed bill, strike out the words "or other common carrier."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 157, entitled "An act relating to the sale and manufacture of dairy products," etc.

STOREY BUCK, Chief Clerk of the House.

Senate bill No. 244: An act providing for the office and appointment of chief deputy game warden, etc., was read third time.

On motion of Senator Palmer the bill was amended by striking out the words "fifteen hundred dollars" in line 3 of section 1 of the printed bill and inserting in lieu thereof the words "twelve hundred dollars."

Senator Graves moved to amend by striking out the following: Beginning with the words "and shall" in line 2 of section 2 of the printed bill, to and including the word "county" in line 3 of section 2 of the printed bill.

The amendment was lost.

Senator Graves moved to amend by striking out the words and figures "one hundred dollars ($100)" in lines 8 and 9 of section 2 of the printed bill and inserting in lieu thereof the words and figures "fifty ($50) dollars."

The amendment was lost.

Senator Clapp moved to amend by inserting the words "the mainland or" after the word "on" in line 3 of section 5 of the printed bill.

The amendment was carried.

On motion of Senator Palmer the bill was indefinitely postponed.

Senate bill No. 238: An act amending section 2 and adding sections 4 and 5, relating to the duties of county assessors, county auditors, etc., was read third time.

On motion of Senator Stansell, the bill was amended by striking out the word "shall" in line 6 of section 1 of the printed bill and inserting in lieu thereof the word "may."

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Pauly, Pogue, Potts, Russell, Smith (Dr. J. J.), Stansell, Sumner, Welsh, Wilson—28.

Those voting nay were: Senators Graves, Rands, Reed, Ruth—4.

Those absent and not voting were: Senators Condon, Moore, Palmer, Smith (S. T.), Stewart, Tucker, Rasher, Van de Vanter, Veness, Watson—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sumner the rules were suspended and Senate bill No. 196 ordered transmitted to the House immediately.

On motion of Senator Stansell the rules were suspended and Senate bill No. 238 was ordered transmitted to the House immediately.

Senate bill No. 203: An act authorizing the use of "deficiency certificates," etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Brown, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Welsh, Wilson—28.

Those voting nay were:

Senators Palmer, Watson—2.

Those absent or not voting were: Senators Christian, Clapp, Condon, Rasher, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Veness, Bronson—12.

The emergency clause failed to pass by the following vote:

Those voting yea were: Senators Boone, Bratt, Brown, Davis, Earles, Gunn, Hammer, Hunter, Hutson, Kennedy, Kinnear, O'Donnell, Pauly, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Stansell, Tucker, Wilson—21.

Those voting nay were: Senators Graves, Henry, Le Crone, Moore, Palmer, Pogue, Rasher, Russell, Stewart, Veness, Watson, Welsh—12.

Those absent or not voting were: Senators Baker, Bronson, Christian, Clapp, Condon, Smith (S. T.), Sumner, Van de Vanter, Hemrich—9.

On motion of Senator Moore section 2 of the printed bill was stricken out and the words "and declaring an emergency" were stricken from the title of the bill.

There being no objection the amended title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands the Senate returned to the order of business Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 325, entitled "An act to amend sections 13 and 15 of an act entitled 'An act relating to the taxation of inheritances and providing for disposition of same,' approved March 6, 1901," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, John T. Welsh, Walter Christian, Will G. Graves, T. A. Hunter, Charles T. Hutson, O. A. Tucker, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted, and House bill No. 325 was made special order for 3 o'clock this afternoon.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 182, entitled "An act relating to the compulsory attendance

of children between the ages of eight and fifteen years in the public schools of the State of Washington, and repealing all laws and parts of laws in conflict therewith," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 3 of section 4 of printed bill, after the word "and" insert the word "in."

In line 5 of section 4 of the printed bill, after the word "the" strike out the words "district clerk" and insert the words "county superintendent" in lieu thereof.

S. M. LE CRONE, Chairman.

We concur in this report: W. A. Henry, A. S. Ruth, C. L. Stewart, Jno. Earles, J. R. O'Donnell.

On motion of Senator Bratt the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 141, entitled "An act to amend an act entitled 'An act to provide for the organization and incorporation of companies for clearing out and improving rivers,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, John T. Welsh, Will G. Graves, E. B. Palmer.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 312, entitled "An act to amend section 6480 of Ballinger's Annotated Codes and Statutes of Washington (being section 2801 of Pierce's Washington Code), relating to the adoption of legal heirs," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 16, section 1 of the printed bill, after the word "child" strike the period, substitute a colon therefor, and add to said section the following words: "And provided further, That either spouse may adopt a child of the other."

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, Walter Christian, John T. Welsh, Will G. Graves, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 244, entitled "An act relative to the admission in evidence of tax deeds," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, Walter Christian, John T. Welsh, Will G. Graves, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 284, entitled "An act to provide for the certifying, by clerks of cities and towns, to the county auditors of their county," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, Walter Christian, John T. Welsh, Will G. Graves, E. B. Palmer.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 7, entitled "An act authorizing the assessment of lands held or owned by the State of Washington, within the limits of incorporated cities or towns, for local improvements, and providing for the payment of such assessments," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it keep its place on general file.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, John T. Welsh, Will G. Graves.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 84, entitled "An act requiring holders of delinquent tax certificates," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, John T. Welsh, Will G. Graves.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 238, entitled "An act relating to changing corporate names of corporations," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, Walter Christian, John T. Welsh, Will G. Graves, E. B. Palmer.

On motion of Senator Moore the report of the committee was adopted, and House bill No. 238 made special order for 3 o'clock this afternoon.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 261, entitled "An act to amend section 3 of an act entitled 'An act to define and punish the crime of arson and attempted arson, and declaring an emergency,' approved March 18, 1895," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, Walter Christian, John T. Welsh, Will G. Graves, E. B. Palmer.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 234, entitled "An act amending the charter of the Grand Lodge of

the Fraternal Order of Eagles, etc., and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that it is unconstitutional.

E. M. RANDS, Chairman.

We concur in this report: Charles T. Hutson, Walter Christian, John T. Welsh, Will G. Graves, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 226, entitled "An act to amend section 1 of chapter 124 of the Laws of 1903," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, John T. Welsh, Will G. Graves, E. B. Palmer.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1905.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 248, entitled "An act to provide for the payment of expenses incurred by the commissioners of the Lewis and Clark Exposition," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend the title by adding thereto "and making an additional appropriation to provide for the expense of the Lewis and Clark commission of the State of Washington."

Add section 3: "There is hereby appropriated out of any money in the treasury, not otherwise appropriated, the sum of seven thousand three hundred and sixty-five and 11-100 dollars, as an appropriation to carry out the purposes and provisions of an act of the Legislature of the State of Washington, approved January 25th, 1905, entitled 'An act to provide for the collection, exhibition and maintenance of the products of the State of Washington, at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, 1905, at Portland, Oregon, making an appropriation therefor and repealing chapter one

hundred and eighty-eight (188) of the Session Laws of 1903, and declaring an emergency,' and the state treasurer is hereby authorized to pay said money to the executive commissioner provided for in said act from time to time upon the requisition of the said commission created by said act by its president and secretary, approved by the state auditor."

GEO. H. BAKER, Chairman.

We concur in this report: E. M. Rands, C. L. Stewart, J. A. Veness, T. B. Sumner, C. F. Clapp, G. B. Wilson.

On motion of Senator Sumner the report of the committee was adopted.

On motion of Senator Welsh the Senate returned to the order of business Introduction of Bills.

INTRODUCTION OF BILLS.

House bill No. 291: An act to amend sections one, two, three, four, five, six and seven of an act entitled, "An act to provide for the relief of indigent Union and Mexican war soldiers, etc."

The bill was read the first time, and on motion of Senator Kinnear the rules were suspended, the bill was read the second time by title and referred to the Committee on Military.

House bill No. 361: An act authorizing cities and towns to construct, conduct and operate water works and systems of sewerage, etc.

The bill was read the first time, and on motion of Senator Rands the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 272: An act relating to peddlers and venders of merchandise, etc.

The bill was read the first time, and on motion of Senator Smith (S. T.) the rules were suspended, the bill was read the second time by title and referred to the Committee on Manufactures.

House bill No. 281: An act to define the practice of veterinary medicine, surgery and dentistry in the State of Washington, etc.

The bill was read the first time, and on motion of Senator Wilson the rules were suspended, the bill was read the second time by title and referred to the Committee on Medicine, Dentistry and Hygiene.

House bill No. 241: An act providing for the protection of shrimp, etc.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House bill No. 240: An act to prevent fish stealing, etc.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

House bill No. 288: An act amending section 4828 of Ballinger's Annotated Codes and Statutes of the State of Washington, in relation to the recovery of damages for the death of a person, etc.

The bill was read the first time, and on motion of Senator Welsh the rules were suspended, the bill was read the second time by title and referred to the Committee on Manufactures.

House substitute bill No. 22: An act regulating life insurance companies, etc.

The bill was read the first time, and on motion of Senator Davis the rules were suspended, the bill was read the second time by title and referred to the Committee on Insurance.

House bill No. 334: An act relating to damages by fire caused or set by steam engines and cars, etc.

The bill was read the first time, and on motion of Senator Christian the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 278: An act providing for the rights of way and easement for the development of mines and mining properties.

The bill was read the first time, and on motion of Senator Henry the rules were suspended, the bill was read the second time by title and referred to the Committee on Mines and Mining.

Senator Ruth, by unanimous consent, introduced the following resolution out of order:

Resolved, That the Committee on Enrolled Bills be authorized to employ such additional clerical help as may be required for the remainder of the session, for the prompt enrolling of all Senate bills that may be passed.

On motion of Senator Ruth the resolution was adopted.

Senator Boone requested and was given unanimous consent to introduce the following resolution out of order:

Resolved by the Senate, That the state treasurer be and he is hereby requested to furnish forthwith to the Senate the following information:

First. A statement of all moneys in the hands of the treasurer at the end of each quarter year during the last two years and the balance in his hands at the present time.

Second. The name of all banking institutions wherein any of said funds were deposited, together with a statement of the balances on hand in such institution at the end of each quarter during the last two years and the balances on deposit therein at the present time.

Third. A statement of the amount of interest bearing warrants now outstanding, which are payable on demand, and for which there are at present no funds in his hands to pay.

Fourth. A statement of the amount, if any, of interest that has ever been paid to this State by any of said depositories for the use of said funds.

Fifth. A statement as to whether, or not, in his opinion these funds or any portion of them can be by him deposited in absolutely sound and responsible banking institutions that would be willing to pay interest for the use of the same and specifying the rate of interest which in his opinion can be obtained therefor.

Sixth. That a copy of this resolution be forthwith transmitted to the state treasurer.

Senator Boone moved the adoption of the resolution.

Senator Ruth moved as a substitute that the resolution be laid on the table.

The substitute was lost and the resolution was adopted.

At 11:55 a. m., on motion of Senator Smith (Dr. J. J.), a recess was taken until 1:30 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 1:30 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senator Van de Vanter, excused.

On motion of Senator Palmer, Senate bill No. 22, which was next on the calendar, was passed temporarily.

Senate bill No. 240: An act to provide for a general and uniform series of school books, etc., was read third time.

Senator Wilson moved that the bill be indefinitely postponed.

The following Senators demanded a roll call on the motion: Senators Ruth, O'Donnell, Potts, Sumner, Clapp, Tucker, Baker.

The roll was called and the bill was indefinitely postponed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Earles, Graves, Gunn, Hanmner, Hemrich, Hutson, Kennedy, Kinnear, Moore, Palmer, Pauly, Pogue, Rands, Rasher, Reed, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Welsh, Wilson—30.

Those voting nay were: Senators Boone, Condon, Henry, Le Crone, O'Donnell, Potts, Russell, Ruth, Watson—9.

Those absent or not voting were: Senators Davis, Hunter, Van de Vanter—3.

At the request of Senator Christian, the Senate by unanimous consent returned to the order of business Reports of Committees.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your majority Committee on Judiciary, to whom was referred House bill No. 290, entitled "An act relating to a depositor in case of forgery," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, John T. Welsh, Will G. Graves, E. B. Palmer.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your minority Committee on Judiciary, to whom was referred House bill No. 290, entitled "An act relating to the liability of a bank to a depositor in case of forgery," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

WALTER CHRISTIAN.

Senator Rands moved the adoption of the majority report.

Senator Christian moved as a substitute that the minority report be adopted.

The substitute was carried and the minority report was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate joint memorial No. 7, relating to the granting of substantial recognition for services rendered during Indian uprisings in 1856, have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, O. A. Tucker, H. Rasher.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred House bill No. 272, entitled "An act relating to peddlers and vendors of merchandise, providing for licensing the same and prescribing a penalty for violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. HEMRICH, Chairman.

We concur in this report: R. W. Condon, W. E. Bronson, G. B. Wilson, S. T. Smith.

On motion of Senator Stansell the consideration of Senate bill No. 22 was laid over and it was ordered that the bill retain its place on the calendar.

Senator Smith (Dr. J. J.), moved that House substitute bill No. 130 be taken up out of its order and considered at this time.

The motion was carried.

Senator Graves moved that House bill No. 41 be taken up out of its order and considered immediately after House substitute bill No. 130 shall be disposed of.

The motion was carried.

House substitute bill No. 130 was placed on final passage, hav-

ing been read third time at a previous session, and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Earles, Graves, Gunn, Hammer, Heinrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Potts, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Sumner, Watson, Welsh, Wilson—30.

Those voting nay were: Senators Baker, O'Donnell, Pogue, Smith (S. T.), Stansell, Tucker, Veness—7.

Those absent or not voting were: Senators Davis, Hunter, Rands, Stewart, Van de Vanter—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Christian the vote by which House bill No. 41 was taken up out of order was reconsidered.

Senator Graves withdrew his motion that the bill be considered at this time.

On motion of Senator Palmer House bill No. 41 was ordered placed on the calendar.

Senate bill No. 229: An act to prevent fraud upon travelers and prescribing where, how and by whom railroad tickets may be sold, etc., was read third time.

Senator Moore moved to amend the bill by striking out all of "section 7" of the printed bill and inserting in lieu thereof the following:

"Section 7. It shall be the duty of all railroad companies in this State, or receiver or trustee of any such railroad company to provide for the redemption from the holder thereof of any part or coupon, or the whole of any ticket or tickets, or evidences of transportation, which they or any of their agents, or the agent of any connecting railway line, may have sold for use on the railroad from the owner, receiver or trustee of which redemption is requested. Such redemption shall be upon the following terms, to-wit:

If neither the ticket nor any part thereof has been used by the holder he shall receive the full amount paid therefor; and where the ticket has been used in part the holder thereof shall be entitled to receive the remainder of the price paid for the whole ticket after deducting therefrom the pro rata share per miles used of the amount paid. That is to say,—that the full amount paid shall be reckoned upon the basis of the mileage for which the same was issued, and the

non-used portion thereof repaid by said railway company to the holder at such rate per mile.

All tickets sought to be redeemed shall be presented for redemption to the railway company from which they have been purchased, or the receiver, trustee or any agent of said company authorized to sell tickets by said railway company, or in case of tickets over one or more lines to any agent of any connecting line upon which such ticket is valid, within a time not exceeding sixty days after the right to use such ticket has expired, by the limitation of time which may be stipulated therein, and shall upon presentation for redemption be redeemed without delay by any such railway company, or receiver thereof, or agent thereof."

The amendment was lost.

Senator Moore moved to amend the bill by inserting a new section after section 7 and before section 8 of the printed bill, reading as follows:

"All railway tickets issued, authorized, sold, or used within the State of Washington are hereby declared to be negotiable, subject only to the term and conditions of this act. Any person purchasing, owning or holding any railway ticket within the State of Washington may transfer the same by an endorsement in writing upon the same, and such transfer shall constitute ownership of said ticket in and to the person holding the same for the purpose of using the unexpired portion thereof, and for the purpose of redemption as in this act set forth; and such transfer may be made by the duly authorized attorney in fact of any such person purchasing, owning or holding any railway ticket."

The amendment was lost.

Senator Moore moved to amend the bill by adding "section 9," to read as follows:

"Section 9. If any railway company, the owner thereof, operator thereof, receiver or trustee thereof, or any authorized agent thereof, shall refuse to redeem any ticket or to allow the use of the same as in this act provided, then the person to whom the use thereof is refused, or from whom redemption thereof is refused, may maintain a civil action against the railway company or the owner, operator, receiver or trustee thereof for the amount and value of said ticket, and may recover in said action such damages as to the holder of said ticket have occurred or accrued and treble the amount of such damages in addition thereto."

The amendment was lost.

The roll was called on final passage and Senate bill No. 229 passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Welsh, Wilson—33.

Those voting nay were: Senators Graves, Moore, Rasher, Ruth—4.

Those absent or not voting were: Senators Condon, Hunter, Kinnear, Van de Vanter, Watson—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sumner the rules were suspended and Senate bill No. 229 ordered transmitted to the House immediately.

Senate bill No. 232: An act to prevent the procreation of weak and diseased children, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Hammer, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Smith (Dr. J. J.), Stewart, Tucker, Watson, Welsh, Wilson—29.

Those voting nay were: Senators Bratt, Hemrich, O'Donnell, Ruth, Smith (S. T.), Veness—6.

Those absent or not voting were: Senators Bronson, Gunn, Hunter, Rasher, Stansell, Sumner, Van de Vanter—7.

On motion of Senator Wilson section 3 of the printed bill was stricken out.

On motion of Senator Wilson the title of the act was amended by striking out the words "and declaring an emergency."

There being no objection, the amended title of the bill was ordered to stand as the title of the act.

On motion of Senator Wilson, the rules were suspended and Senate bill No. 232 was ordered transmitted to the House immediately.

Senate bill No. 237: An act authorizing the execution on behalf of the State of Washington of bonds in judicial proceedings and declaring an emergency was read third time.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Clapp, Condon, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Christian, Davis, Hunter, Kinnear, Sumner, Van de Vanter—6.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bronson, Brown, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Welsh, Wilson—35.

Those absent or not voting were: Senators Bratt, Christian, Hunter, Kinnear, Stewart, Van de Vanter, Watson—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hutson the rules were suspended and Senate bill No. 237 ordered transmitted to the House immediately.

House bill No. 258: An act to provide for the formation of banking corporations, etc.

On motion of Senator Smith (S. T.) the Senate resolved itself into a committee of the whole to consider House bill No. 258.

The bill was considered in the committee of the whole, Senator Rands in the chair, and reported back to the Senate with the recommendation that it be indefinitely postponed.

The following Senators demanded a roll call on the motion: mittee of the whole.

Senator Veness moved the adoption of the report of the com- Senators Hutson, Baker, Smith (S. T.), Sumner, Ruth, O'Donnell, Reed and Bronson.

The roll was called and the report of the committee of the whole was adopted by the following vote:

Those voting yea were: Senators Bratt, Davis, Graves, Gunn,

Hemrich, Henry, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pogue, Rasher, Reed, Russell, Ruth, Stansell, Stewart, Veness, Watson, Welsh, Wilson—22.

Those voting nay were: Senators Baker, Boone, Bronson, Brown, Clapp, Condon, Earles, Hammer, Hutson, Kinnear, Pauly, Rands, Smith (S. T.), Sumner, Tucker—15.

Those absent or not voting were: Senators Christian, Hunter, Potts, Smith (Dr. J. J.), Van de Vanter—5.

SPECIAL ORDER.

The hour of 2:30 o'clock having arrived the Senate considered House bill No. 337.

House bill No. 337: An act amending sections 6, 7, and 7½ of an act providing for the protection and propogation of the food fishes in the waters of the State of Washington, etc., was read third time.

On motion of Senator Moore the bill was amended by striking out the word "tributaries" in line 19 of section 4 of the engrossed bill, and inserting in lieu thereof the word "waters," and by inserting after the word "Sound" in line 19 of section 4 of the engrossed bill the words "or its tributaries."

On motion of Senator Moore the bill was amended by making section 6 of the engrossed bill "section 7" and inserting the following:

"Section 6. Any person violating any of the provisions of this act, whether or not such violation is otherwise specifically declared to be a misdemeanor, either by neglecting to observe the requirements of this act, or violating any of the provisions thereof, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof for each and every offense, be subject to a fine of not less than fifty dollars nor more than one thousand dollars, or by imprisonment in the county jail not less than twenty-five days nor more than one year, or by both such fine and imprisonment."

The roll was called on final passage and House bill No. 337 passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Moore,

Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Tucker, Watson, Welsh, Wilson—30.

Those voting nay were: Senators Palmer, Smith (S. T.)—2.

Those absent or not voting were: Senators Brown, Hunter, Le Crone, Russell, Stansell, Stewart, Sumner, Van de Vanter, Veness, O'Donnell—10.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Kennedy, Kinnear, Moore, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Sumner, Tucker, Veness, Watson, Welsh, Wilson—34.

Those absent or not voting were: Senators Hunter, Hutson, Le Crone, O'Donnell, Rands, Stansell, Stewart, Van de Vanter —8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Welsh the rules were suspended and House bill No. 337 ordered transmitted to the House immediately.

On motion of Senator Baker it was ordered that all bills hereafter received from the House be referred to the Committee on Rules.

On motion of Senator Tucker the Senate returned to the order of business Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 237, entitled "An act providing for the payment to lessees of tide lands," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. G. POTTS, Chairman.

We concur in this report: O. A. Tucker, A. L. Watson, Jno. Earles, S. T. Smith, John T. Welsh, J. A. Veness.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on State Penal Institutions, to whom was referred House bill No. 375, entitled "An act providing for the transportation of convicts to the state penitentiary and transportation of insane persons," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED M. PAULY, Chairman.

We concur in this report: S. S. Russell, A. Hemrich, E. Hammer, W. G. Potts, G. B. Wilson.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred House bill No. 291, entitled "An act to amend sections 2640," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. RASHER, Chairman.

We concur in this report: W. A. Henry, H. M. Boone, John T. Welsh, Walter J. Reed, C. L. Stewart, R. M. Kinnear.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 278, entitled "An act providing for the rights-of-way and easement for the development of mines and mining properties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

M. E. STANSELL, Chairman.

We concur in this report: E. C. Bratt, J. I. Pogue, W. E. Bronson, C. G. Brown, Lincoln Davis.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House memorial No. 7, memorializing Congress of the United States to early enact such laws as shall encourage the national good roads movement, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. L. STEWART, Chairman.

We concur in this report: S. T. Smith, E. Hammer, E. C. Bratt,

Walter Christian, M. E. Stansell, Geo. A. Kennedy, Fred M. Pauly, J. A. Veness.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred House bill No. 330, entitled "An act in relation to poisons," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 146, entitled "An act to amend sections 4, 5, 9 and 10 of an act entitled 'An act providing for the assessment and collection of taxes,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. B. SUMNER, Chairman.

We concur in this report: E. C. Bratt, A. Hemrich, M. E. Stansell, Geo. A. Kennedy, Charles T. Hutson, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 158, entitled "An act to amend section 6 of 'An act to provide for the assessment and collection of taxes in municipal corporations of the third and fourth classes,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. B. SUMNER, Chairman.

We concur in this report: E. C. Bratt, A. Hemrich, M. E. Stansell, Geo. A. Kennedy, Charles T. Hutson, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 327, entitled "An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes, and the manner of expenditure thereof," etc., have had the same

under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file, with the following amendments:

In line 3, section 1 of the engrossed bill, after the word "State," strike out the words "over twenty-one years of age" and insert in lieu thereof the words "between the ages of twenty-one and fifty years."

T. B. SUMNER, Chairman.

We concur in this report: E. C. Bratt, A. Hemrich, M. E. Stansell, Geo. A. Kennedy, Charles T. Hutson, O. A. Tucker.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 35, entitled "An act providing a method for the assessment and collection of an excise tax from express companies doing business in this State," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

T. B. SUMNER, Chairman.

We concur in this report: E. C. Bratt, A. Hemrich, M. E. Stansell, Geo. A. Kennedy, Charles T. Hutson, O. A. Tucker.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 191, entitled "An act amending an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

T. B. SUMNER, Chairman.

We concur in this report: E. C. Bratt, A. Hemrich, M. E. Stansell, Geo. A. Kennedy, Charles T. Hutson, O. A. Tucker.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was

referred Senate bill No. 179, entitled "An act exempting from taxation certain funds," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

T. B. SUMNER, Chairman.

We concur in this report: J. A. Veness, O. A. Tucker, J. R. O'Donnell, A. Hemrich, Geo. A. Kennedy.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 152, entitled "An act creating the office of state inspector of mines, prescribing his duties," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. E. STANSELL, Chairman.

We concur in this report: E. C. Bratt, J. I. Pogue, A. S. Ruth, W. E. Bronson, C. G. Brown, Will G. Graves, Lincoln Davis.

On motion of Senator Bratt the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 170, entitled "An act to amend section 14, chapter 166, Session Laws 1903," etc., "and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: R. W. Condon, A. L. Watson, Lincoln Davis, E. Hammer, W. G. Potts, T. B. Sumner.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 147, entitled "An act to amend section 64 of 'An act to provide for the assessment and collection of taxes in the State of Washington,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. B. SUMNER, Chairman.

We concur in this report: E. C. Bratt, A. Hemrich, M. E. Stansell, Geo. A. Kennedy, Charles T. Hutson, O. A. Tucker.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Engrossed Bills. to whom was referred Senate bill No. 232, entitled "An act to prevent the procreation of weak and diseased children, have compared the same with the original bill and find it correctly engrossed.

J. I. POGUE, Chairman.

We concur in this report: Charles T. Hutson, S. S. Russell, W. E. Bronson, R. W. Condon.

At 4:10 p. m., on motion of Senator Smith (S. T.), the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, March 8, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. A. G. Sawin offered prayer.

The secretary called the roll, all members being present except Senator Van de Vanter, excused.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

Senator Moore moved that for the remainder of the session all persons be excluded from the floor of the Senate except mem-

bers and employes of the Senate and House, ex-members of the Senate and state officers.

The motion was carried.

At his request, Senator Boone was, on motion of Senator Davis, excused from further attendance at the sessions of this Senate.

On motion of Senator Smith (Dr. J. J.) the following resolution was adopted:

RESOLUTION BY THE COMMITTEE ON RULES.

Resolved, That no bills be considered in the Senate after 12 o'clock noon, Thursday, March 9, except such as come up in connection with conference committee reports.

Senate concurrent resolution No. 23 was introduced by Senator Hemrich, as follows:

SENATE CONCURRENT RESOLUTION No. 23.

WHEREAS, The principal industry of the Hawaiian Islands is now, and for a great many years has been, the growing of sugar-cane and the manufacture of sugar therefrom, and,

WHEREAS, The climatic conditions of said islands is such, that members of the white race are unable to perform common labor on the plantation of those islands, and the raising and cultivation of such sugar-cane as aforesaid has been heretofore carried on by Chinese and Japanese labor, and,

WHEREAS, Since the admission of said Hawaiian Islands to the United States of America, contract labor has been prohibited by "The Exclusion Act" with the result that wages in said Hawaiian Islands, since their admission to the Union, have been greatly increased and are now far in excess of wages paid to laborers upon the farms of the different states and territories of the United States, which has resulted in very grave damage to such sugar industry in said islands; now therefore, be it

Resolved, That the Senate of the State of Washington, the House of Representatives concurring, hereby respectfully memorializes the Congress of the United States, to amend said "Exclusion Act" so that contract labor may enter said Hawaiian Islands for the purpose of seeking and performing labor therein.

And your petitioners will ever pray.

On motion of Senator Hemrich the resolution was adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred House bill No. 281, entitled "An act to define the practice of veterinary medicine, surgery and dentistry in the State of Washington; to regulate the same and to provide penalties for a violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: J. I. Pogue, J. J. Smith.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 173, entitled "An act providing for the amendment of section two (2) of article seven (7) of the constitution of the State of Washington, to provide for the taxation of mines and mining claims," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

WILL G. GRAVES, Chairman.

We concur in this report: Wm. Hickman Moore, S. M. Le Crone, Charles T. Hutson, Walter J. Reed.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 204, entitled "An act providing for the assessment and taxation of mining property," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

M. E. STANSELL, Chairman.

We concur in this report: J. I. Pogue, E. C. Bratt, W. E. Bronson, A. S. Ruth, C. G. Brown, Will G. Graves, Lincoln Davis.

On motion of Senator Henry the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 241, entitled "An act providing for the protection of shrimp in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses and fixing penalties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: Wm. Hickman Moore, W. G. Potts, A. L. Watson, Jno. Earles, Lincoln Davis, E. Hammer, T. A. Hunter.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 240, entitled "An act to prevent fish-stealing and prescribing penalties therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: Wm. Hickman Moore, R. W. Condon, W. G. Potts, Jno. Earles, Lincoln Davis, A. L. Watson, E. Hammer, T. A. Hunter.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 257, entitled "An act for the relief of P. M. Troy, James B. Murphy and J. B. Bridges, comprising the examining board to conduct examinations of applicants for admission to the bar, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, S. S. Russell, Walter Christian, Will G. Graves, O. A. Tucker, John T. Welsh.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 361, entitled "An act amending section 2 of an act entitled 'An act authorizing cities and towns to construct, condemn and purchase, pur-

chase, acquire, add to, maintain, conduct and operate water works, systems of sewerage, works for lighting, heating, fuel and power purposes.' " etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, S. S. Russell, Walter Christian, Will G. Graves, O. A. Tucker, John T. Welsh.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred House bill No. 334, entitled "An act relating to damages by fire caused or set by steam engines and cars, defining the liability of the owners of such engines and cars, and prescribing the rule of evidence in such cases," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Walter Christian, Will G. Graves, O. A. Tucker, John T. Welsh.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred House bill No. 334, entitled "An act relating to damages by fire caused or set by steam engines and cars, defining the liability of the owners of such engines and cars, and prescribing the rule of evidence in such cases," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

CHARLES T. HUTSON.
S. S. RUSSELL.

Senator Rands moved the adoption of the majority report.

Senator Hutson moved as a substitute that the minority report be adopted.

The substitute motion was lost and the majority report was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 297, entitled "An act relating to revenue and taxation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Strike section 3 of the engrossed bill.

E. M. RANDS, Chairman.

We concur in this report: Wm. Hickman Moore, Charles T. Hutson, S. S. Russell, Walter Christian, Will G. Graves, O. A. Tucker, John T. Welsh.

On motion of Senator Rands the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 180, entitled "An act establishing hunters' licenses," etc., with the following amendments:

Amend the title by inserting after the word "thereof" the words "creating a state fund."

Amend section 1, line 26, as follows: Strike out the word "state" and insert in lieu thereof the word "county."

Amend section 1, line 31, as follows: Strike out the words "general fund" and insert in lieu thereof the words "game protection and propagation fund."

In place of section 2 substitute the following:

"Section 2. There is hereby created a state fund which shall be used only for the protection and propagation of game animals, game birds and game fish, in this State."

Make section 2 read section 3.

The speaker has signed House substitute bill No. 130, entitled "An act to prohibit all livestock from running at large," etc.

Also House bill No. 157, entitled "An act relating to the sale and manufacture of dairy products," etc.

The House has indefinitely postponed Senate bill No. 206, entitled "An act authorizing county commissioners to transfer money remaining in the county treasury," etc.

Also Senate bill No. 133, entitled "An act authorizing the assessment of lands held or owned by the State of Washington," etc.

The House has passed Senate concurrent resolution No. 22, providing

for an official visit to the Lewis and Clark exposition, with the following amendment:

Amend the resolution by cutting off the last section, being the appropriation section.

Also House bill No. 339, entitled "An act providing for the levy and manner of payment of road taxes," etc.

Also House substitute bill No. 25, entitled "An act creating the office of a highway commissioner and state highway board," etc.

The House has receded from its amendments to Senate bill No. 185, entitled "An act making appropriations for certain deficiencies," etc.

The House has concurred in Senate amendments to House bill No. 36, entitled "An act creating a state board of tax commissioners," etc.

The speaker has signed Senate bill No. 184, entitled "An act making appropriations for the salaries of the state board of control," etc.

Also Senate bill No. 177, entitled "An act creating the county of Benton," etc.

Also Senate memorial No. 3, relating to the improvement of the Pend d'Oreille river, etc.

Also Senate memorial No. 4, relating to the irrigation of certain lands in Stevens county, etc.

Also Senate memorial No. 6, relating to the Olympic forest reserve near the Docewallups river.

Also Senate memorial No. 7, in relation to the relief of Sergeant Mathew Kelley and others, etc.

The House has passed House bill No. 347, authorizing the Governor to appoint three persons to report the condition of the state school and granted lands.

Also House bill No. 208, to provide for the purchase of additional land adjoining the grounds upon which is located the buildings of the state reform school.

Also Senate bill No. 237, entitled "An act authorizing the execution on behalf of the State of Washington of bonds in judicial proceedings," etc.

Also House bill No. 168, to promote the fruit growing and horticultural interests of the State.

Also House bill No. 323, an act for the protection of bicycle paths.

Also House bill No. 377, to prevent the acceptance of gifts by agents, employes and officers.

Also House bill No. 372, regulating the keeping and deposit of public funds by county treasurers.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Moore, House bill No. 337 was recalled from the House.

House bill No. 347: An act authorizing the governor to ap-

point three persons to report the condition of the state, school and granted lands.

The bill was read first time, and on motion of Senator Baker the rules were suspended and the bill read second time by title.

On motion of Senator Welsh the bill was indefinitely postponed.

House bill No. 208: An act to provide for the purchase of additional land adjoining the grounds upon which is located the buildings of the state reform school.

The bill was read first time, and on motion of Senator Baker the rules were suspended, the bill read second time by title and ordered referred to the Committee on Rules and Joint Rules.

House bill No. 168: An act to amend sections, etc., of an act entitled, "An act to promote the fruit-growing and horticultural interests, etc."

The bill was read first time, and on motion of Senator Reed the rules were suspended, the bill was read second time by title and referred to the Committee on Rules and Joint Rules.

House bill No. 323: An act for the protection of bicycle paths in public highways.

The bill was read first time, and on motion of Senator Kennedy the rules were suspended, the bill read second time by title and ordered referred to the Committee on Rules and Joint Rules.

House bill No. 377: An act to prevent the acceptance of gifts, bonuses or commissions by agents, employes and officers.

The bill was read first time, and on motion of Senator Palmer the rules were suspended, the bill read second time by title and referred to the committee on Rules and Joint Rules.

House bill No. 372: An act regulating the keeping and deposit of public funds in banks by the several county treasurers of this State.

The bill was read first time and on motion of Senator Welsh the rules were suspended, the bill read second time by title and ordered referred to the Committee on Rules and Joint Rules.

House substitute bill No. 25: An act creating the office of and providing for the appointment of a highway commissioner and state highway board, etc.

The bill was read first time, and on motion of Senator Bratt

the rules were suspended, the bill read second time by title and referred to the Committee on Rules and Joint Rules.

House bill No. 339: An act providing for the levy and manner of payment of road, bridge, poll and property taxes, etc.

The bill was read first time, and on motion of Senator Bratt the rules were suspended and the bill read second time by title.

Senator Bratt moved that the bill be made special order for Thursday, March 9, 1905, at 10:30 o'clock a. m.

Senator Stewart moved as a substitute that the bill be indefinitely postponed.

The following members demanded a roll call on the substitute motion: Senators Bratt, Graves, Moore, Watson, Kennedy, Pogue and Bronson.

The roll was called and the substitute was lost by the following vote:

Those voting yea were: Senators Baker, Christian, Clapp, Gunn, Hemrich, Kinnear, Le Crone, O'Donnell, Palmer, Potts, Rands, Rasher, Reed, Smith (Dr. J. J.), Smith S. T.), Stewart, Veness—17.

Those voting nay were: Senators Bratt, Bronson, Brown, Earles, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Moore, Pauly, Pogue, Russell, Ruth, Stansell, Tucker, Watson, Welsh—19.

Those absent or not voting were: Senators Boone, Condon, Davis, Sumner, Van de Vanter, Wilson—6.

The motion of Senator Bratt that House bill No. 339 be made a special order was lost.

On motion of Senator Christian House bill No. 339 was referred to the Committee on Rules and Joint Rules.

The president appointed as a conference committee on Senate bill No. 90 Senators Wilson, Smith (J. J.) and Brown.

On motion of Senator Russell the Senate concurred in the House amendments to Senate bill No. 20 by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith

(Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh—34.

Senator O'Donnell voted nay.

Those absent or not voting were: Senators Baker, Boone, Clapp, Condon, Kinnear, Van de Vanter, Wilson—7.

On motion of Senator Stansell the Senate concurred in the House amendments to Senate bill No. 1 by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Watson, Welsh, Wilson—38.

Those absent or not voting were: Senators Christian, Kinnear, Stewart, Van de Vanter—4.

Senator Tucker moved that the Senate recede from its amendments to House bill No. 53, striking out the emergency clause.

The motion was carried.

The roll was called on the emergency clause to House bill No. 53, and same passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Boone, Christian, Clapp, Graves, Kinnear, Stewart, Van de Vanter—7.

On motion of Senator Tucker the title of the bill was amended by adding the words "and declaring an emergency."

There being no objection the amended title of the bill was ordered to stand as the title of the act.

House bill No. 216: An act amending an act providing for the protection and propagation of food fishes, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves,

Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Veness, Watson, Welsh, Wilson—38.

Senator Tucker voted nay.

Those absent or not voting were: Senators Hunter, Stansell, Van de Vanter—3.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Sumner, Veness, Watson, Welsh, Wilson—38.

Senator Tucker voted nay.

Those absent or not voting were: Senators Stansell, Stewart, Van de Vanter—3.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

The House has passed House bill No. 306, entitled "An act providing for the nomination of party candidates by direct vote."

Also House concurrent resolution no 9, relating to the legislative fight in the State of Kansas against the Standard Oil monopoly, etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 254: An act to provide for a close season for crabs in the State of Washington, etc., was read third time.

On motion of Senator Rands the bill was amended by inserting after the word "any" in line 3 of section 2 of the printed bill the words "female or any male crab."

House bill No. 254 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn,

Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Welsh, Wilson—38.

Those absent or not voting were: Senators Baker, Hunter, Van de Vanter, Watson—4.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands the rules were suspended and all bills passed by the Senate today were ordered transmitted to the House immediately.

The following bills were signed by the president: House bills Nos. 130 and 157.

House bill No. 201: An act providing for a close season for razor clams.

The bill was placed on third reading and on motion of Senator Ruth the further consideration of the bill was laid over temporarily.

Senate bill No. 231: An act authorizing the board of regents of the University of Washington to establish and maintain a fish hatchery, etc.

On motion of Senator Tucker the Senate resolved itself into a committee of the whole to consider Senate bill No. 231.

The bill was considered in the committee of the whole, Senator Hunter in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

Strike out the words "board of regents of the University of Washington are" and insert in lieu thereof the words "fish commissioner of the State of Washington is," in line 1 of section 1 of the printed bill.

Insert after the word "on," in line 2 of section 1 of the printed bill, the words "Union Bay on."

Insert after the word "dollars," in line 2 of section 2 of the printed bill, the words "or so much thereof as may be necessary."

On motion of Senator Graves the report of the committee of the whole was adopted.

On motion of Senator Tucker the rules were suspended and the reading of the bill had in the committee of the whole was considered the third reading, the bill placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Gunn, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators Clapp, Hemrich, Ruth, Van de Vanter, Veness—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 176, entitled "An act providing for the incorporation of associations for social and other purposes," with the following amendments:

In line 15 of section 1 of the original bill, between the words "now" and "organized" insert the words "or hereafter."

In same line and section strike out the words "or hereafter organized."

In line 17, section 1 of the original bill, strike from between the words "diminish" and "the" the word "in."

Also Senate bill No. 140, relating to river improvement districts.

Also Senate bill No. 26, providing for the enforcement of liens for labor and material.

Also Senate bill No. 108, to provide against the adulteration and sale of meal or ground grains.

The House returns for further amendment House bill No. 337, entitled "An act amending the law for the protection of food fish," etc.

The House has concurred in Senate amendments to House bill No. 140, entitled "An act providing for the payment of wages of labor," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 325: An act amending an act relating to taxation of inheritances, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le

Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Davis, O'Donnell, Stewart, Van de Vanter, Veness—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 238: An act relating to changing corporate names by corporations, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Boone, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Watson, Welsh, Wilson—39.

Senator Veness voted nay.

Those absent or not voting were: Senators Kinnear and Van de Vanter—2.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 209: An act appropriating the sum of five thousand dollars for expenses in connection with the suit about to be instituted by the State of Washington against the State of Oregon, etc.

On motion of Senator Graves the Senate resolved itself into a committee of the whole to consider Senate bill No. 209.

The bill was considered in the committee of the whole, Senator Moore in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendment:

Strike out all the words between the title and the enacting clause of the bill.

On motion of Senator Welsh the report of the committee of the whole was adopted, the rules were suspended, the reading had in the committee of the whole considered the third reading of the bill, the bill placed on final passage and passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown,

Christian, Clapp, Davis, Earles, Graves, Gunn, Hammer, Heinrich, Henry, Hunter Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Baker, Boone, Condon, O'Donnell, Stansell, Sumner, Van de Vanter—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 226: An act to amend section 1 of chapter 124 of the Session Laws of 1903, relating to assessments for local improvements, was read third time.

On motion of Senator Graves the bill was amended as follows:

Strike the word "local" in line 20, section 1 of the printed bill, and insert in lieu thereof the word "assessment."

Insert between words "by" and "more" in line 26, section 1 of the printed bill the words "the owners of."

Strike word "within" in line 35 of section 1 of the printed bill and insert in lieu thereof the word "between."

Strike the word "land" in line 42 of section 1 of the printed bill and insert in lieu thereof the word "lands."

Strike period after word "improvements" in line 46 of section 1 of the printed bill and insert a comma in lieu thereof and add after the comma the words "the expense of all improvements in the space formed by the junction of two or more streets, or where one main street terminates in or crosses another main street, and also all necessary street crossings or crossways at corners or intersections of streets and."

Insert after the words "by such city," in line 47 of section 1 of the printed bill the words "or, by direction of the city council, may be paid by special assessments levied upon the property benefitted by the improvement."

After the word "provisions" in line 57 of section 1 of the printed bill, insert the words "of this act."

Strike word "tries" in line 62 of section 1 of the printed bill and insert word "trying" in lieu thereof.

Strike word "improvement" in line 65 of section 1 of the printed bill and insert word "improved" in lieu thereof.

The roll was called on final passage and Senate bill No. 226 passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer,

Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Veness, Watson, Welsh, Wilson—33.

Those voting nay were: Senators Bratt and Smith (S. T.)—2.

Those absent or not voting were: Senators Boone, Kinnear, Moore, Palmer, Russell, Tucker, Van de Vanter—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Ruth House bill No. 201 was next taken up.

House bill No. 201: An act providing for a close season for razor clams, etc., was read third time.

On motion of Senator Ruth the bill was amended by striking out section 1 of the engrossed bill and inserting section 1 of the printed bill in lieu thereof.

On motion of Senator Ruth the bill was amended by inserting after the word "dig" in line 2 of section 1 of the printed bill the word "clams."

On motion of Senator Palmer section 3 of the printed bill was stricken out and the following inserted in lieu thereof: "Section 3. An emergency exists and this act shall take effect immediately."

The roll was called and House bill No. 201 passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Veness, Watson, Welsh, Wilson—37.

Senator Baker voted nay.

Those absent or not voting were: Senators Boone, Christian, Tucker, Van de Vanter—4.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Davis, Earles, Gunn, Hammer, Hemrich, Hunter, Hutson, Kennedy, Pauly, Pogue, Potts, Reed, Ruth,

Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—28.

Those voting nay were: Senators Graves, Le Crone, Moore, Russell—4.

Those absent or not voting were: Senators Boone, Condon, Henry, Kinnear, O'Donnell, Palmer, Rands, Rasher, Stansell, Van de Vanter—10.

On motion of Senator Palmer the title of the bill was stricken out and the following inserted in lieu thereof: "An act relating to the protection of clams; providing penalties for its violation and declaring an emergency."

There being no objection the amended title of the bill was ordered to stand as the title of the act.

On motion of Senator Russell Senate bill No. 169 was taken up out of order.

Senate bill No. 169: An act defining who may be construed to be fellow servants.

On motion of Senator Palmer Senate bill No. 169 was indefinitely postponed.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 4, entitled "An act authorizing the incorporation of Fire Department Relief Associations," etc., with the following amendments:

Amend the title by striking out the word "appropriate" in line 4 of the printed bill, being line 5 of the engrossed bill, and substitute in lieu thereof the word "provide;" strike the word "no" in the fourth line of the title in the printed bill, being the sixth line of the engrossed bill; strike the words "into the state treasury" in the fifth line, being the seventh line of the engrossed bill, and the words and figures "under section 5651 of Pierce's Code" in the fifth line of the title in the printed bill, being the eighth line of the engrossed bill; by inserting after the word "reports" and before the word "as" in the sixth line of the title in the printed bill, being the ninth line of the engrossed bill, the words "and to pay one per cent of their net receipts;" strike the word "appropriation" in the seventh line of the title of the printed bill, being the tenth line of the engrossed bill, and insert in lieu thereof the word "fund."

Strike out section 4 and substitute in lieu thereof the following: "Section 4. The insurance commissioner shall embody in his annual statement blank for fire insurance companies, corporations and associations a blank form, with the names of the cities and towns thereon entitled to benefits under this act, and require them to report, at the time of making their annual statements, the amount of premiums received by them and of the losses paid by them respectively during the year ending December 31st preceding, in each of the several cities and towns named in such blank. Every fire insurance company, corporation or association shall, as a condition precedent to doing business in this state, in addition to the amounts now required by law to be paid, pay to the city or town treasurer of each city or town having an incorporated fire department relief association as aforesaid, as ex-officio treasurer of such association, on or before the first day of March in each year after the year 1905, one per cent of the amount received in each city or town less the amount paid to policy holders therein during the year ending December 31st preceding. Any insurance company, corporation or association, failing or refusing to render the statement or to pay any of the sums herein required to be paid, for a period of thirty days after the time specified, shall be liable to a fine of twenty-five dollars for each additional day of such delinquency; and the sums so to be paid, including the fines provided for herein, may be collected by distraint or recovered in an action to be instituted for that purpose. The several fire department relief associations may bring and maintain actions in the names of their respective boards of trustees against such delinquent fire insurance companies, corporations or associations, in any court of competent jurisdiction, for the recovery of the sums payable to them respectively under the provisions of this act. The commencement of any such action shall be certified to the insurance commissioner by the clerk of the court in which the same is pending, and the insurance commissioner shall thereupon revoke and annul the annual certificate of authority of such delinquent insurance company, corporation or association, until full payment of such sums and fines, should any be imposed, shall be made, and until he shall have been satisfied of the payment thereof."

Strike out all of section 5 and substitute in lieu thereof the following: "Sec. 5. There is hereby set apart and awarded to the several fire department relief associations that shall be organized as provided in this act, as a relief and pension fund, and for no other purpose, the total amount that shall be paid into the treasuries of such associations respectively, pursuant to the provisions of this act, and no part thereof shall be expended for fees, salaries or compensation to any officer of any such association."

Strike out all of section 6 and substitute in lieu thereof the following: "Sec. 6. Every fire department relief association organized under the provisions of this act shall, on or before the first day of December

of each year after the year in which it shall be organized, file with the insurance commissioner of this State a verified report in writing setting forth (1) the name and place of such association; (2) the number of members in good standing belonging thereto; (3) the amounts received and paid out since its last report, and the source or sources from which received and the purposes for which expended, and the amount of funds remaining on hand; (4) a statement as to whether the fire department in such city or town is a paid or volunteer department, and a general summary of the amount and value of the apparatus and equipment belonging thereto. The secretary of state shall, not less than ten nor more than thirty days before the time for filing such report, mail to each of such associations a written or printed notice calling for such report; and every association failing or refusing to file such report within ten days after the time herein prescribed shall be omitted by the insurance commissioner from the list of associations entitled to benefits for that year under this act, and the claim of such delinquent association to payment for such year shall be forfeited."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

Senate bill No. 191: An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," etc., was read third time, placed on final passage and failed to pass by the following vote:

Those voting yea were: Senators Bratt, Brown, Condon, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, O'Donnell, Pauly, Potts, Rasher, Russell, Ruth, Stewart, Welsh, Wilson—21.

Those voting nay were: Senators Bronson, Christian, Clapp, Davis, Le Crone, Moore, Reed, Smith (Dr. J. J.), Watson—9.

Those absent or not voting were: Senators Baker, Boone, Kinnear, Palmer, Pogue, Rands, Smith (S. T.), Sumner, Stansell, Tucker, Van de Vanter, Veness—12.

At 11:55 a. m., on motion of Senator Russell a recess was taken until 1:30 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 1:30 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senators Boone, excused, and Van de Vanter, excused.

Senate bill No. 247: An act to amend section 1 of an act to authorize and regulate the paroling of convicts, etc., was read third time, placed on final passage and failed to pass by the following vote:

Those voting yea were: Senators Baker, Brown, Davis, Hemrich, Henry, Hutson, Kinnear, O'Donnell, Pauly, Pogue, Russell, Stansell, Welsh, Wilson—14.

Those voting nay were: Senators Bratt, Bronson, Condon, Graves, Hammer, Le Crone, Moore, Palmer, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stewart, Sumner, Veness, Watson—18.

Those absent or not voting were: Senators Boone, Christian, Clapp, Earles, Gunn, Hunter, Kennedy, Smith (Dr. J. J.), Tucker, Van de Vanter—10.

Senate bill No. 248: An act to provide for the payment of expenses incurred by the commissioners of the Lewis and Clark Exposition and making an appropriation therefor, etc.

On motion of Senator Moore the Senate resolved itself into a committee of the whole to consider Senate bill No. 248.

The bill was considered in the committee of the whole, Senator Hutson in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendment:

Strike out everything between the title of the bill and the enacting clause.

On motion of Senator Hutson the report of the committee of the whole was adopted.

On motion of Senator Hutson the rules were suspended and the reading had in the committee of the whole was considered the third reading of the bill.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators, Boone, Clapp, Earles, Stansell, Van de Vanter—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 187: An act exempting all real and personal property owned by Greek letter fraternities connected with any college or institution of learning from taxation, etc., was read third time.

Senator Welsh moved that the bill be indefinitely postponed.

The motion was lost.

Senate bill No. 187 was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Brown, Condon, Davis, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Palmer, Pauly, Pogue, Potts, Reed, Ruth, Smith (S. T.), Stansell, Sumner, Tucker, Wilson—22.

Those voting nay were: Senators Bratt, Bronson, Christian, Clapp, Earles, Graves, Gunn, Le Crone, Moore, O'Donnell, Rands, Rasher, Russell, Smith (Dr. J. J.), Stewart, Veness, Watson, Welsh—18.

Those absent or not voting were: Senators Boone and Van de Vanter—2.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 182, entitled "An act creating the office of public printer," with the following amendments:

Amend section 6 by inserting after the word "matter" in line 9 of the printed bill the following: "at single price when lines are not underscored, and when more than five lines on any one page are underscored, at price and one-half."

Amend section 6 by placing a comma after the word "pages" in line 16 of the printed bill, and adding the following: "or fraction thereof in any one bill form."

Amend section 6 by placing a comma after the word "class" in line 37 and inserting after said word "class" the following: "provided that tabular matter shall be set in nonpareil."

Add to section 6 the following: "The price herein provided to be paid for all composition in the classes specified in this act shall include and cover proof-reading, make-up and lock-up ready for the press, and there shall be no extra charge made therefor unless alterations are made from original copy."

Amend section 6 by inserting in line 53 of the printed bill after the word "thereof," the following: "up to 1000 impressions, and for all over 1000 impressions thirteen cents for each subsequent one hundred (100) impressions."

Amend section 7 by striking out the word "scale" in line 1 and inserting in lieu thereof the word "rule."

Amend section 8 by striking out lines 5, 6, 7, 8, 9 and 10, and inserting in lieu thereof the following: "For pamphlets containing one signature or less, including folding, gathering, stitching, covering and trimming, for one thousand finished pamphlets $4.75, and for each additional signature or fraction thereof $1.60 for each 1000 finished pamphlets."

Amend section 8 by adding at the end of line 17 the following: "Per volume over twenty-four sections, five cents for each additional six sections or fraction thereof."

Amend by striking out section 9 and insert in lieu thereof the following: "The public printer shall furnish all paper, stock and binding materials required in all public work and charge the same to the State, as the same is actually used, at the actual price at which same was purchased. Whenever a piece of work is delivered to the State, the public printer shall make and file in the office of the Governor an affidavit stating the amount of material actually used in said piece of work and the actual value of same, calculated at the wholesale price at which same was purchased.

The public printer shall also file in the office of said Governor all bills for material purchased by him for State work, accompanied by his affidavit that same is true and correct, and that said bills show the true amount actually paid therefor."

The House has indefinitely postponed Senate bill No. 128, entitled "An act for the prevention of the spread of contagious diseases," etc.

The House has passed Senate bill No. 165, entitled "An act to validate assessments made to pay for local improvements," with the following amendment: In line 5 of section 1 of the engrossed bill, immediately following the word "by," insert the following words: "grading, curbing, parking, sidewalking, sewering, or."

Also House bill No. 341, entitled "An act relating to the duties of state treasurer," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Smith (Dr. J. J.), the vote by which Senate bill No. 191 failed to pass the Senate was reconsidered.

Senate bill No. 164: An act to prevent discrimination in the distribution of cars by railroad companies, etc., was read third time.

On motion of Senator Graves the bill was amended by striking out section 4 of the printed bill.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Hammer, Hemrich, Hunter, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rasher, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh—28.

Those voting nay were: Senators Clapp, Hutson, Kennedy, Palmer, Reed, Russell, Stansell, Wilson—8.

Those absent or not voting were: Senators Baker, Boone, Gunn, Henry, Rands, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Smith (Dr. J. J.) the consideration of House bills was taken up out of order.

On motion of Senator Welsh House bill No. 341 was indefinitely postponed.

On motion of Senator O'Donnell House bill No. 306 was indefinitely postponed.

House concurrent resolution No. 9, relating to Standard Oil monopoly, etc., was read first time and on motion of Senator Baker the rules were suspended, the resolution read second time by title and referred to the Committee on Rules and Joint Rules.

Senate bill No. 246: An act to provide for the preservation of the forests of this State, for the prevention of forest fires, etc.

On motion of Senator Welsh the Senate resolved itself into a committee of the whole to consider Senate bill No. 246.

The bill was considered in the committee of the whole, Senator Henry in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

Strike out the word "logging" between the words "spark-emitting" and "locomotive," in line 2 of section 10 of the printed bill.

Strike words "twenty-five thousand," in line 1 of section 13, and insert in lieu thereof the words "seven thousand five hundred."

Strike the figures "$1800,00 in line 2 of section 3, and insert in lieu thereof the words "fifteen hundred dollars."

On motion of Senator Welsh the report of the committee of the whole was adopted.

On motion of Senator Welsh the rules were suspended, the reading had in the committee of the whole considered the third reading and the bill placed on final passage.

The roll was called and the bill passed by the following vote:

Those voting yea were: Senators Bronson, Christian, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Tucker, Veness, Welsh—29.

Those voting nay were: Senators Bratt, Graves, Rasher—3.

Those absent or not voting were: Senators Baker, Boone, Brown, Moore, Russell, Stewart, Sumner, Van de Vanter, Watson, Wilson—10.

The emergency clause failed to pass by the following vote:

Those voting yea were: Senators Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Tucker, Veness, Welsh—26.

Those voting nay were: Senators Bratt, Graves, Hutson, Russell—4.

Those absent or not voting were: Senators Baker, Boone, Hunter, Kinnear, Moore, Rasher, Reed, Stewart, Sumner, Van de Vanter, Watson, Wilson—12.

On motion of Senator Graves the title of the bill was amended by striking out the words "and declaring an emergency" in the fifth line of the title of the printed bill.

There being no objection the amended title of the bill was ordered to stand as the title of the act.

Senate bill No. 142: An act in relation to deliveries of goods to consignees by common carriers, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson,

Brown, Christian, Clapp, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Boone, Graves, Hunter, Stansell, Van de Vanter, Veness—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senate bill No. 148: An act to provide for the organization of bonding and surety companies, etc., was read third time.

On motion of Senator Palmer the bill was amended by adding to the engrossed bill the following:

"Section 9. Nothing in this act contained shall be applicable to foreign surety companies now duly authorized, or hereafter to be authorized to do business in this State."

On motion of Senator Sumner the bill was indefinitely postponed.

Mr. A. N. Brown, private secretary to the Governor, appeared before the Senate and delivered the following

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., March 8, 1905.

To the Honorable, the Senate of the State of Washington.

I am directed by the Governor to inform you that he has this day approved the following measures:

Senate bill No. 177: An act to create the county of Benton, subject to the requirements of the State constitution and statutes in respect to the establishment of new counties.

Senate bill No. 184: An act making appropriations for the salaries and expenses of the state board of control and for the maintenance and sundry expenses of the various State penal, reformatory and charitable institutions for the fiscal term beginning April 1, 1905, and ending March 31, 1907.

A. N. BROWN, Private Secretary.

House bill No. 135: An act creating a fund to be known as a public highway fund, etc., was read third time.

On motion of Senator Bratt the bill was amended by striking

out the word "one-half" in line 2 of section 2 of the printed bill and inserting in lieu thereof the word "one-fourth."

Senator Rands moved to amend the bill by adding to section 2 of the printed bill the following: "*Provided,* That no appropriation for public highways shall be made except from such fund."

The motion was lost.

On motion of Senator Christian section 3 of the engrossed bill was stricken out.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Boone, Clapp, Condon, Hunter, Kinnear, O'Donnell, Rands, Rasher, Van de Vanter—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

The conference committee on Senate bill No. 90 reported that they were unable to agree with the conference committee of the House and requested the powers of a free conference committee.

On motion of Senator Smith (Dr. J. J.) the request of the committee was granted.

Senator Tucker was granted unanimous consent to introduce a resolution out of order.

Senate Concurrent Resolution No. 24, by Senator Tucker.

Resolved by the Senate, the House of Representatives concurring, **That authority be given the Senate Committee on Appropriations to introduce Senate bill No. 251, making an appropriations for legislative expenses.**

Senator Tucker moved the adoption of the resolution, and it was adopted by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Condon, Davis, Gunn, Hammer, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Pauly, Pogue, Potts, Rasher,

Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—31.

Those voting nay were: Senators Bratt, Graves, Palmer—3.

Those absent or not voting were: Senators Boone, Clapp, Earles, Hunter, O'Donnell, Rands, Van de Vanter, Hemrich—8.

House bill No. 62: An act for the relief of Skamania county, etc.

On motion of Senator Welsh the Senate resolved itself into a committee of the whole to consider House bill No. 62.

The bill was considered in the committee of the whole, Senator Brown in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Brown the report of the committee of the whole was adopted.

On motion of Senator Brown the rules were suspended, the reading had in the committee of the whole considered the third reading of the bill and the bill placed on final passage.

The roll was called and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Gunn, Hammer, Henry, Hutson, Kennedy, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Boone, Davis, Earles, Graves, Hemrich, Hunter, Kinnear, Moore, O'Donnell, Rasher, Van de Vanter—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

House substitute bill No. 64: An act giving to county commissioners the power to grant certain public utility franchises on county roads and streets, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Clapp, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Baker, Boone, Condon, Davis, Earles, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., March 7, 1905.

To the Honorable, the Senate of the State of Washington.

GENTLEMEN: I have the honor to submit herewith a list of appointments, subject to your confirmation, made by me since the submission of a previous list on March 3:

REGENT OF THE STATE AGRICULTURAL COLLEGE AND SCHOOL OF SCIENCE (WASHINGTON STATE COLLEGE.)

J. J. Browne, of Spokane, for the term ending March 9, 1911, succeeding Hon. J. P. Sharp, deceased. Appointment effective March 10, 1905.

MEMBER OF THE BOARD OF TRUSTEES OF THE STATE NORMAL SCHOOL AT CHENEY.

G. A. Fellows, of Cheney, succeeding Hon. J. J. Browne, resigned, for the term ending July 29, 1905; also for the term ending July 29, 1911.

MEMBERS OF THE STATE BOARD OF EDUCATION.

Thomas A. Stiger, of Everett, for the term ending the first Monday in March, 1907.

James A. Tormey, of Spokane, for the term ending the first Monday in March, 1907.

J. W. Shepherd, of Walla Walla, for the term ending the first Monday in March, 1907.

P. A. Williams, of Montesano, for the term ending the first Monday in March, 1907.

Respectfully yours,

ALBERT E. MEAD, Governor.

On motion of Senator Smith (Dr. J. J.), the appointments made by the Governor were taken up for confirmation in open session.

The nomination of J. J. Brown, as regent of the State Agricultural College and School of Science (Washington State College), for the term ending March 9, 1911, and beginning March 10, 1905, was confirmed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson,

Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson--40.

Those absent or not voting were: Senators Van de Vanter and Boone—2.

The nomination of G. A. Fellows as a member of the board of trustees of the State Normal School at Cheney for the term ending July 29, 1905, was confirmed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—40.

Those absent or not voting were: Senators Van de Vanter and Boone—2.

The nomination of G. A. Fellows as a member of the board of trustees of the State Normal School at Cheney for the term ending July 29, 1911, was confirmed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—40.

Those absent or not voting were: Senators Van de Vanter and Boone—2.

The nomination of Thomas A. Stiger as a member of the state board of education for the term ending the first Monday in March, 1907, was confirmed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear,

Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—40.

Those absent or not voting were: Senators Van de Vanter and Boone—2.

The nomination of James A. Tormey as a member of the state board of education for the term ending the first Monday in March, 1907, was confirmed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—40.

Those absent or not voting were: Senators Van de Vanter and Boone—2.

The nomination of J. W. Shepherd as a member of the state board of education for the term ending the first Monday in March, 1907, was confirmed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—40.

Those absent or not voting were: Senators Van de Vanter and Boone—2.

The nomination of P. A. Williams as a member of the state board of education for the term ending the first Monday in March, 1907, was confirmed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.),

Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—40.

Those absent or not voting were: Senators Van de Vanter and Boone—2.

On motion of Senator Welsh the Senate resolved itself into a committee of the whole to consider House bills Nos. 55, 251, 202 and 126.

House bills Nos. 55, 251, 202 and 126 were considered in the committee of the whole, Senator Welsh in the chair, and reported back to the Senate with the recommendation that they do pass.

On motion of Senator Welsh the report of the committee of the whole was adopted.

House bill No. 55: An act creating a fish hatchery on the Little Spokane river, etc.

On motion of Senator Welsh the rules were suspended, the reading had of House bill No. 55 in the committee of the whole was considered the third reading of the bill and the bill was placed on final passage and passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Davis, Graves, Gunn, Hammer, Hunter, Hutson, Kennedy, Kinnear, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stewart, Tucker, Veness, Watson, Welsh, Wilson—30.

Senator Ruth voted nay.

Those absent or not voting were: Senators Baker, Boone, Clapp, Condon, Earles, Henrich, Henry, Le Crone, Stansell, Sumner, Van de Vanter—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 251: An act to establish and maintain state fish hatcheries on the Skagit river, etc.

On motion of Senator Welsh the rules were suspended and the reading of the bill had in the committee of the whole considered the third reading, the bill placed on final passage and passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Moore, O'Donnell, Palmer, Pauly, Pogue,

Rands, Rasher, Reed, Smith (Dr. J. J.), Smith (S. T.), Stewart, Watson, Welsh, Wilson—27.

Those absent or not voting were: Senators Baker, Boone, Clapp, Earles, Gunn, Hemrich, Le Crone, Potts, Russell, Ruth, Stansell, Sumner, Tucker, Van de Vanter. Veness—15.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 202: An act establishing a fish hatchery on Chimacum creek, etc.

On motion of Senator Welsh the rules were suspended and the reading of the bill had in the committee of the whole considered the third reading of the bill.

The roll was called and the bill passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Gunn, Hammer, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Veness, Watson, Welsh, Wilson—29.

Those absent or not voting were: Senators Baker, Boone, Clapp, Earles, Graves, Hemrich, Hunter, Rasher, Stansell, Stewart, Sumner, Tucker, Van de Vanter—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No 126: An act establishing a fish hatchery on the Methow river, etc.

On motion of Senator Welsh the rules were suspended, the reading had in the committee of the whole considered the third reading, the bill placed on final passage and passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Gunn, Hemrich, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Veness, Watson, Welsh, Wilson—28.

Those absent or not voting were: Senators Baker, Boone, Clapp, Earles, Graves, Hammer, Henry, Rasher, Russell, Stansell, Stewart, Sumner, Tucker, Van de Vanter—14.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 327: An act amending the law relative to taxes and division of counties into road districts, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Clapp, Condon, Davis, Earles, Gunn, Hemrich, Henry, Hutson, Moore, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Veness, Watson, Welsh, Wilson—33.

Senator Christian voted nay.

Those absent or not voting were: Senators Baker, Boone, Graves, Hammer, Hunter, Sumner, Tucker, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

House substitute bill No. 96: An act relating to justices of the peace and constables in cities having a population of more than thirty-five thousand inhabitants, etc., and declaring an emergency, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Brown, Christian, Clapp, Condon, Davis, Earles, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—34.

Those voting nay were: Senators Graves, Gunn, Rasher—3.

Those absent or not voting were: Senators Boone, Bronson, Hammer, Moore, Van de Vanter—5.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Brown, Christian, Condon, Davis, Earles, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—32.

Those voting nay were: Senators Graves, Gunn, Rasher—3.

Those absent or not voting were: Senators Boone, Bronson, Clapp, Hammer, Moore, Rands, Van de Vanter—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 272: An act relating to peddlers and vendors of merchandise, providing for licensing same, etc., was read third time.

On motion of Senator Palmer the bill was amended by inserting after the word "ranges," in line 3 of section 1 of the printed bill, the words "windmills, lightning rods."

Senator Clapp moved to amend the bill by striking out the words "sewing machines" in line 4 of section 1 of the printed bill.

The amendment was lost.

On motion of Senator Smith (Dr. J. J.), the word "groceries" was inserted after the word "churns" in line 4 of section 1 of the printed bill.

On motion of Senator Palmer section 4 of the printed bill was stricken out.

The roll was called on final passage and House bill No. 272 passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.). Smith (S. T.), Stansell, Stewart, Sumner, Veness, Watson, Welsh, Wilson—37.

Those absent or not voting were: Senators Boone, Hunter, Rasher, Tucker, Van de Vanter—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 182: An act relating to compulsory attendance of children between ages of eight and fifteen years in public schools, etc.

The bill having been read third time at a previous session, on motion of Senator O'Donnell, the further reading of the bill was dispensed with.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Boone, Condon, Earles, Hunter, Rasher, Stewart, Van de Vanter—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 124: An act relative to savings banks and loan societies, etc., was read third time.

On motion of Senator Graves the bill was amended by adding to the end of section 1 of the printed bill the following:

"The secretary of state shall annually turn over all reports made by him to the attorney general for proceedings for forfeiture, if he shall be so advised."

On motion of Senator Moore the bill was amended by adding to the end of section 2 of the printed bill, after the word "misdemeanor," the following: "and on conviction thereof shall be fined in any sum not less than fifty dollars nor more than one thousand dollars or confined in the county jail not less than ten days nor more than ninety days, or both such fine and imprisonment."

On motion of Senator Christian the bill was amended by striking out the following: Beginning with the word "any," in line 16 of section 1 of the printed bill, strike out to and including the words "less than $50," in line 17 of section 1 of the printed bill.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Gunn, Hammer, Heinrich, Hunter, Hutson, Kennedy, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Boone, Earles, Henry, Kinnear, Le Crone, Rasher, Van de Vanter—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 201, regulating the keeping and deposit of municipal funds.

Also Senate bill No. 119, to promote the agricultural interests of the State.

Also Senate bill No. 65, to establish a state fish hatchery in Cowlitz county, making an appropriation, with the following amendments: Strike from the title the words "and making an appropriation therefor." Strike out all of section 3.

Also Senate bill No. 54, to appropriate funds for the payment of mileage and per diem of the presidential electors.

Also Senate substitute bill No. 243, entitled "An act to provide for the publication and sale of the Washington Supreme Court Reports," with the following amendments:

In line 6 of section 2 of the printed bill, being line 9 of section 2 of the engrossed bill, immediately following the words "two dollars and," strike out the word "fifty" and substitute therefor the word "twenty-five." In same line of printed bill, being the tenth line in the engrossed bill, strike out the figures "$2.50" and substitute therefor the figures "$2.25."

In line 7 of section 2 of the printed bill, being line 10 of section 2 in the engrossed bill, immediately following the word "or" strike out the words "two dollars and seventy-five cents."

In line 8 of section 2 of the printed bill, being the last line of said section 2, immediately following the word "volume" (the last word in the section), add the words "delivered to the subscriber."

In line 2 of section 3 of the printed bill, being line 3 of section 3 of the engrossed bill, immediately following the word "reports," strike out the words "for thirty (30) consecutive days" and substitute therefor the words "once each week for four consecutive weeks."

In lines 11 and 19 of section 4 of the printed bill, being lines 15 and 27 of section 4 of the engrossed bill, strike out the words "agree to."

In line 12 of section 4 of the engrossed bill, strike out the word "to" preceding the word "keep."

In line 21 of section 4 of the printed bill, being line 30 of section 4 in the engrossed bill, immediately following the words "county of this State," strike out the word "and." In same line of printed bill, and immediately following the word "library" (the last word in paragraph fifth of section 4), the words "and six copies to the law department of the State University."

In line 30 of section 4 in the printed bill, being line 45 of section 4 of the engrossed bill, immediately following the word "Seventh," strike

out the word "to" and substitute therefor the words "That the contractor."

In line 2 of section 5 of the printed bill, being same line in engrossed bill, immediately following the comma after the word "State," strike out the word "of" and substitute therefor the word "from."

Also House bill No. 396, entitled "An act providing for the office of chief game warden and county game warden," etc.

Also Senate substitute bill No. 249, providing for and regulating the selection of jurors, with the following amendment: In line 4, section 14 of the engrossed bill, immediately following the word "record" insert the word "direct."

The speaker has signed House bill No. 36, entitled "An act creating a state board of tax commissioners," etc.

Also House bill No. 140, entitled "An act requiring the payment of wages in lawful money."

The House has passed House bill No. 371, entitled "An act providing for a close season for trout in Trout creek," etc.

Also House bill No. 313, entitled "An act granting to county commissioners the power to create game preserves," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

At 4 o'clock p. m., on motion of Senator Baker, a recess was taken until 7 o'clock this evening.

EVENING SESSION.

The Senate was called to order at 7 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senators Boone, excused, Hunter, Van de Vanter, excused.

On motion of Senator Baker Senate bill No. 245 was taken up out of order.

Senate bill No. 245: An act providing for the building of a bridge across the Columbia river, at or near the city of Wenatchee, and making an appropriation therefor.

On motion of Senator Baker the Senate resolved itself into a committee of the whole to consider Senate bill No. 245.

The bill was considered in the committee of the whole, Senator

Watson in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendment:

Strike out the word "State" in line 1 of section 1 of the printed bill.

On motion of Senator Watson the reoprt of the committee of the whole was adopted.

On motion of Senator Watson, the rules were suspended, the reading of the bill had in the committee of the whole considered the third reading and the bill placed on final passage.

Senate bill No. 245 passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Clapp, Condon, Davis, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Palmer, Pauly, Pogue, Potts, Russell, Ruth, Smith (S. T.), Stansell, Tucker, Watson, Welsh, Wilson—23.

Those voting nay were: Senators Christian, O'Donnell, Rasher, Reed, Smith (Dr. J. J.), Stewart—6.

Those absent or not voting were: Senators Baker, Boone, Brown, Earles, Graves, Hunter, Kinnear, Le Crone, Moore, Rands, Sumner, Van de Vanter, Veness—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Davis the Senate returned to the order of business "Reports of Committees."

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred House substitute bill No. 22, entitled "An act regulating life insurance companies," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, Chairman.

We concur in this report: H. Rasher, J. J. Smith, Charles T. Hutson, Lincoln Davis.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1905.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 8, relating to increase of pension to soldiers of the Indian rebellion, 1855-1856, have had the same under consideration,

and we respectfully report the same back to the Senate with the recommendation that it do pass.

Wm. Hickman Moore, Chairman.

We concur in this report: H. Rasher, A. Hemrich.

On motion of Senator Moore the vote by which House bill No. 337 passd the Senate was reconsidered.

On motion of Senator Moore the bill was amended by inserting after the word "year," in line 21 of section 4 of the printed bill, the following:

"During the weekly closed season herein provided, the tunnel and front part of the pot of all fish traps shall be raised to high water mark, to permit salmon and other fish to swim freely and without hindrance in any direction."

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Stansell, Stewart, Tucker, Watson, Welsh, Wilson—30.

Those absent or not voting were: Senators Baker, Boone, Clapp, Earles, Hammer, Hunter, Pauly, Smith (Dr. J. J.), Smith (S. T.), Sumner, Van de Vanter, Veness—12.

The emergency clause passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Stansell, Tucker, Watson, Welsh, Wilson—31.

Those absent or not voting were: Senators Baker, Boone, Clapp, Earles, Hunter, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Van de Vanter, Veness—11.

On motion of Senator Moore the title of the bill was amended by inserting between the figures "1903" and the word "and," in line 14 of the title, the following: "providing penalties for the violation of the provisions of this act."

There being no objection the amended title of the bill was ordered to stand as the title of the act.

House bill No. 340: An act making it a misdemeanor to sell or exchange property under the representation, advertisement, notice or inducement that an unidentified, unknown, unselected, or chance prize, premium, etc., etc., was read third time.

On motion of Senator Welsh the bill was amended by striking the perior after the word "specified," in line 33 of section 1 of the printed bill, and substituting therefor a colon, and also by adding after the word "specified," in line 33 of section 1 of the printed bill, the following:

"*Provided further*, That this act shall not apply to any person giving a due bill on the sale of merchandise and redeeming the same himself in merchandise: *Provided further*, That this act shall not apply to agricultural or church fairs conducted for scientific or charitable purposes."

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Sumner, Wilson—27.

Senator Tucker voted nay.

Those absent or not voting were: Senators Baker, Boone, Clapp, Hunter, Kinnear, Moore, O'Donnell, Russell, Smith (Dr. J. J.), Stewart, Van de Vanter, Veness, Watson, Welsh—14.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 7: An act authorizing assessment of lands held or owned by the State, within the limits of incorporated cities or towns for local improvements, etc., was read third time.

On motion of Senator Moore the bill was amended as follows:

Strike out section 1, 2, 3, 4 and 5, and insert in lieu thereof the following:

Section 1. That all leasehold, contractual or possessory interests in any tide lands owned by the State of Washington in fee simple (in trust or otherwise), situated within the limits of any incorporated city or town in this State, and which have been leased by the State, or which are held by any person, firm, association, private corporation or municipal corporation under a contract of purchase from the State, may be assessed and charged for the cost of all local improvements specially benefitting such leasehold, contractual or possessory inter-

ests, which may be ordered by the proper authorities of such city or town; and such leasehold, contractual or possessory interest, for all the purposes of the assessment and collection of the cost of any such local improvement, shall be treated as the private property of such lessee or owner of such contractual or possessory interest; *Provided*, That the provisions of this section of this act shall apply only to tide lands; and *Provided further*, That nothing in this section shall be construed to affect the title of the State, nor shall any lien for such assessment attach to the fee simple title of the State.

Sec. 2. That all lands other than tide lands held or owned by the State of Washington in fee simple (in trust or otherwise), situated within the limits of any incorporated city or town in this State, may be assessed and charged for the cost of all local improvements specially benefitting such lands which may be ordered by the proper authorities of such city or town.

Sec. 3. In all local improvement assessment districts in any incorporated city or town in this State property in such district, other than tide lands, held or owned by the State shall be assessed and charged for its portion of the cost of such local improvement in the same manner as other property in such district.

Sec. 4. Upon the approval and confirmation of the assessment roll for any local improvement ordered by the proper authorities of any incorporated city or town in this State, the city or town treasurer shall certify and forward to the commissioner of public lands of the State of Washington a statement of all the lots or parcels of lands (other than tide lands) held or owned by the State, and charged on such assessment roll for the cost of such local improvement, separately describing each such lot or parcel of the State's land, with the amount of the assessment charged against it; the commissioner of public lands shall charge against each such lot or parcel of land owned or held by the State, the amount of the local assessment so certified by the city or town treasurer, and shall then certify said statement to the state auditor, who shall, at the next session of the Legislature, certify to the Legislature the amount of such local assessments charged against such land of the State, and the Legislature shall provide for the payment of the same, with interest, by appropriation out of the general fund of the State.

Sec. 5. When any land, other than tide lands, owned or held by the State within incorporated cities or towns in this State, against which local improvement assessments have been paid as provided for by the provisions of sections 2, 3 and 4 of this act, is offered for sale, there shall be added to the appraised value of such land, as provided by law, the amount of the local improvement assessments paid by the State, which amount so added shall be paid by the purchaser in cash at the time of the sale of said land, in addition to the

amounts otherwise due to the State for said land, and no deed shall ever be executed until such local assessments have been paid.

Sec. 6. The provisions of this act shall apply to all municipal corporations, any charter or ordinance provisions to the contrary notwithstanding.

Sec. 7. Nothing in any of the provisions of this act shall have the effect, or be construed to have the effect, to alter or modify in any particular any existing lease of any lands or property owned by the State or any contract to purchase from the State any of its lands or property, or any agreement under which any possessory or contractual interest in any lands of the State may be owned or held by any person, firm, association, private corporation or municipal corporation, or to waive, release or discharge any covenant, stipulation or obligation of any such lease, contract or agreement, and whether the lands involved be tide lands or other lands.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Graves, Gunn, Hammer, Hemrich, Henry, Kennedy, Kinnear, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Stansell, Tucker, Welsh, Wilson—27.

Senator Smith (S. T.) voted nay.

Those absent or not voting were: Senators Boone, Clapp, Davis, Earles, Hunter, Hutson, Le Crone, O'Donnell, Smith (Dr. J. J.), Stewart, Sumner, Van de Vanter, Veness, Watson—14.

On motion of Senator Moore the title was stricken and the following inserted in lieu thereof:

"An act authorizing the assessment, for local improvements, of certain lands owned by the State of Washington and situated within the limits of incorporated cities or towns, and also authorizing such assessment of leasehold, contractual or possessory interests in certain other lands owned by the State situated within such cities or towns and which have been leased, or are held under contracts for the purchase thereof."

There being no objection the amended title of the bill was ordered to stand as the title of the act.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

The House has indefinitely postponed Senate bill No. 2, entitled "An act relating to divorce," etc.

Also Senate bill No. 91, entitled "An act providing for making complaint in case of an habitual drunkard," etc.

Also Senate bill No. 183, entitled "An act relating to civil practice," etc.

Also Senate bill No. 200, entitled "An act relating to habitual drunkards," etc.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 216, entitled "An act providing for the protection and propagation of food fishes," etc.

The House has passed Senate concurrent resolution No. 24, permitting the introduction of Senate bill No. 251, making an appropriation for legislative expenses," and the same is herewith transmitted.

The House has failed to pass Senate bill No. 171, entitled "An act to prohibit boycotting," etc.

STOREY BUCK, Clerk of the House.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 201, entitled "An act regulating the keeping and deposit of municipal funds," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 237, entitled "An act authorizing the execution on behalf of

the State of Washington of bonds in judicial proceedings, and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 20, entitled "An act to provide for the marking and labeling of the vial, box, can or parcel containing any gasoline or benzine sold within this State, and providing a penalty for the violation thereof," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 119, entitled "An act to promote the apicultural interests of the State of Washington, providing for county inspectors of apiaries, defining their duties and providing for their compensation," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 54, entitled "An act to appropriate funds for the payment of mileage of the presidential electors of the State of Washington," etc., have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 1, entitled "An act regulating and fixing the maximum railroad passenger rates in the State of Washington, and providing for the due enforcement and observance of the rates so fixed," have compared same with engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 108, entitled "An act to provide against the adulteration and sale of meal or ground grains used for feeding farm live stock, declaring the same a misdemeanor, providing a penalty therefor, and requiring the state dairy and food commissioner, attorney general and prosecuting attorney to enforce the provisions hereof," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 26, entitled "An act to amend the law relating to liens for labor and material," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 185, entitled "An act making appropriations for certain deficiencies for fiscal periods prior to March 31, 1905, and for other pur-

poses," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 140, entitled "An act amending section twenty-one (21) of chapter one hundred and forty-three, Laws of 1903, relating to river improvement districts, and the collection of taxes therein," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

House bill No. 226: An act amending an act entitled "An act to establish a general uniform system of public schools," etc., was read third time.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Kennnedy, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Boone, Clapp, Earles, Hunter, Hutson, Kinnear, Le Crone, Stewart, Van de Vanter, Veness—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 276: An act amending an act authorizing cities and towns to construct, condemn and purchase, acquire, add to, maintain, conduct and operate waterways, systems of sewerage, etc., was read third time.

Senator Tucker moved to amend the bill by inserting after the word "within" in line 40 of section 1 of the engrossed bill the words "and without."

The motion was lost.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Davis, Earles, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Tucker, Wilson—26.

Those voting nay were: Senators Condon, Graves, Moore, Rasher, Ruth, Veness, Watson, Welsh—8.

Those absent or not voting were: Senators Boone, Clapp, Hunter, Kinnear, Le Crone, Stewart, Sumner, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senator Christian moved that the Senate do now adjourn.

The motion was lost.

House bill No. 250: An act for the relief of holders of warrants drawn upon the "state normal school fund" provided for by the Laws of 1895. The bill was read third time.

On motion of Senator O'Donnell the bill was indefinitely postponed.

House bill No. 113: An act authorizing cemeteries to accept trust funds, etc., was read third time.

The roll was called on final passage and House bill No. 113 passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Earles, Gunn, Hammer, Hemrich, Hutson, Kennedy, Le Crone, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth (Smith (Dr. J. J.), Smith (S. T.), Stansell, Wilson—26.

Senator Graves voted nay.

Those absent or not voting were: Senators Boone, Clapp, Hemrich, Henry, Hunter, Moore, O'Donnell, Rasher, Stewart, Sumner, Tucker, Van de Vanter, Veness, Watson, Welsh—15.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1905.

MR. PRESIDENT:

The House has passed House bill No. 367, entitled "An act to change the name of the state institution located at Vancouver, Wash.

Also House bill No. 21, entitled "An act creating office of state oil inspector," etc.

The speaker has signed House bill No. 53, entitled "An act to enable counties, cities and towns to validate certain warrants," etc.

Also House bill No. 62, entitled "An act for the relief of Skamania county," etc.

Also House bill No. 126, entitled "An act establishing a state fish hatchery on the upper Methow river," etc.

Also House bill No. 202, entitled "An act establishing a state fish hatchery on Chimacum creek," etc.

Also House bill No. 325, entitled "An act relating to the taxation of inheritances," etc.

Also House bill No. 238, entitled "An act relating to changing corporate names of corporations," etc.

Also House bill No. 251, entitled "An act to establish a state fish hatchery on the Skagit river," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senator Welsh moved that House bill No. 161 be now taken up.

The motion was lost.

House bill No. 152: An act regulating automobiles, etc., was read third time.

Senator O'Donnell moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Graves the bill was amended as follows:

In line 6, section 8 of the printed bill, strike the words "be governed by the usual law of the road by turning" and insert in lieu thereof the word "turn."

In line 7, section 8 of the printed bill, strike the words "by turning" and insert in lieu thereof the word "turn."

In line 8, section 8 of the printed bill, strike the word "left" and insert in lieu thereof the word "right."

On motion of Senator Christian the bill was amended as follows:

In line 2, section 13 of the engrossed bill, strike the words "twenty-five," and insert in lieu thereof the words "one hundred" and strike balance of section 13.

Strike out section 12 of the printed bill.

Make section 13 of the engrossed bill section 12.

After the word "State" in line 2 of section 2 of the printed bill, insert the words "annually before June 1st."

Add to the end of section 4 of the printed bill the following: "and the fee for each renewal thereof shall be two dollars."

On motion of Senator Ruth the bill was amended as follows:

Strike word "seven" in line 3 of section 5 of the printed bill and insert in lieu thereof the word "four."

Senator Stewart moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Tucker the bill was amended as follows:

Strike words "or motor cycle" in line 2 of section 5 of the printed bill and insert the word "or" between words "automobile" and "motor vehicle" in line 2 of section 5.

Strike words "or motor cycle" in line 2 of section 7 of the printed bill and insert word "or" between words "automobile" and "motor vehicle" in line 2 of section 7.

Strike words "or motor cycle" in line 2 of section 8 of the printed bill and insert word "or" between words "automobile" and "motor vehicle" in line 2 of section 8 of the printed bill.

Strike words "or motor cycle" in line 2 of section 9 of the printed bill and insert the word "or" between the words "automobile" and "motor vehicle" in line 2 of section 9.

Strike the words "or motor cycle" in line 2 of section 10 of the printed bill and insert between the words "automobile" and "motor vehicle" in line 2 of section 10 the word "or."

Strike the word "or motor cycle" in line 2 of section 11 of the printed bill and insert between the words "automobile" and "motor vehicle" the word "or" in line 2 of section 11 of the printed bill.

Strike the words "or motor cycle" in line 2 of section 12 of the amended printed bill and insert the word "or" between the words "automobile" and "motor vehicle" in line 2 of section 12 of the amended printed bill.

The roll was called on the final passage of the bill as amended and the bill passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Le Crone, Moore, Palmer, Pauly, Pogue, Rasher, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Tucker, Watson, Welsh, Wilson—26.

Those voting nay were: Senators Baker, Condon, Earles, Kennedy, O'Donnell, Potts, Rands, Russell, Stewart, Veness—10.

Those absent or not voting were: Senators Boone, Clapp, Hunter, Kinnear, Sumner, Van de Vanter—6.

On motion of Senator Palmer the title of the bill was amended by striking out the words "or motor cycle" from the title of the bill and inserting between the words "automobile" and "motor vehicle" the word "or."

There being no objection the amended title of the bill was ordered to stand as the title of the act.

The following bills were signed by the president: House bills Nos. 325, 62, 202, 126, 238, 53, 251, 36, 203, and Senate bills Nos. 140, 185, 26, 108, 1, 54, 119, 237, 20 and 201.

Senate bill No. 251, by the Committee on Appropriations: An act appropriating ten thousand dollars, etc., for the expenses of the ninth Legislature.

The bill was read first time and on motion of Senator Baker the rules were suspended and the bill read second time by title.

On motion of Senator Baker the Senate resolved itself into a committee of the whole to consider Senate bill No. 251.

The bill was considered in the committee of the whole, Senator Smith (Dr. J. J.) in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Smith (Dr. J. J.) the report of the committee of the whole was adopted.

On motion of Senator Baker the reading had in the committee of the whole was considered the third reading of the bill, the rules being suspended, and the bill placed on final passage.

The roll was called and Senate bill No. 251 passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Condon, Davis, Hammer, Henry, Kennedy, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Welsh, Wilson—24.

Those voting nay were: Senators Bratt and Palmer—2.

Those absent or not voting were: Senators Boone, Christian, Clapp, Earles, Graves, Gunn, Hemrich, Hunter, Hutson, Kinnear, Le Crone, Rasher, Sumner, Van de Vanter, Veness, Watson—16.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 199: An act amending an act prohibiting the importation of horses, cattle and swine unless accompanied by certificate of health and permit, etc., was read third time.

Senator Palmer moved that the bill be indefinitely postponed.

The motion was lost.

The roll was called on final passage and the bill passed by the the following vote:

Those voting yea were: Senators Baker, Bratt, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Wilson—28.

Those voting nay were: Senators Bronson, Palmer, Reed, Ruth, Stewart, Veness, Watson, Welsh—8.

Those absent or not voting were: Senators Boone, Clapp, Earles, Hunter, Kinnear, Van de Vanter—6.

The emergency clause failed to pass by the following vote:

Those voting yea were: Senators Baker, Bratt, Christian, Clapp, Condon, Davis, Gunn, Hemrich, Kennedy, Pauly, Pogue, Potts, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Tucker, Wilson—19.

Those voting nay were: Senators Bronson, Graves, Hammer, Le Crone, Moore, O'Donnell, Palmer, Reed, Stewart, Sumner, Veness, Watson, Welsh—13.

Those absent or not voting were: Senators Boone, Brown, Earles, Hemrich, Hunter, Hutson, Kinnear, Rands, Rasher, Van de Vanter—10.

On motion of Senator Wilson the title of the bill was amended by striking therefrom the words "and declaring an emergency."

There being no objection the amended title of the bill was ordered to stand as the title of the act.

House bill No. 303: An act to exempt bequests and devises when made for charitable purposes from the payment of any tax or sum under any inheritance tax law, etc., was read third time.

Senator Moore moved that the bill be indefinitely postponed.

The motion was lost.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Condon, Davis, Earles, Gunn, Hemrich, Henry, Hutson, Kennedy, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Wilson—24.

Those voting nay were: Senators Bronson, Brown, Christian, Graves, Hammer, Le Crone, Moore, O'Donnell, Palmer, Rasher, Stewart, Watson, Welsh—13.

Those absent or not voting were: Senators Boone, Clapp, Hunter, Kinnear, Van de Vanter—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 239: An act amending the laws relating to mileage and expenses of county commissioners, etc., was read third time.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Condon, Davis, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, O'Donnell, Palmer, Pauly, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Watson, Welsh, Wilson—27.

Those voting nay were: Senators Christian, Graves, Moore, Pogue, Rasher, Smith (S. T.), Veness—7.

Those absent or not voting were: Senators Baker, Boone, Earles, Clapp, Kinnear, Le Crone, Tucker, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 336: An act relating to foreclosure of assessments for improvements in cities of the third and fourth class, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Condon, Davis, Hunter, Hutson, Kennedy, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (S. T.), Stansell, Veness, Watson, Welsh—23.

Those voting nay were: Senators Christian, Graves, Le Crone, Smith (Dr. J. J.), Stewart, Tucker—6.

Those absent or not voting were: Senators Boone, Clapp, Earles, Gunn, Hammer, Hemrich, Henry, Kinnear, Moore, Rasher, Sumner, Van de Vanter, Wilson—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 141: An act providing for organization of companies to clear out and improve rivers, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Condon, Earles, Gunn, Hammer, Hemrich, Henry, Hunter, Kennedy, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Watson, Welsh—28.

Those voting nay were: Senators Christian and Davis—2.

Those absent or not voting were: Senators Boone, Brown, Clapp, Graves, Hutson, Kinnear, Le Crone, Rasher, Russell, Stewart, Van de Vanter, Wilson—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Tucker the Senate returned to the order of business "Introduction of Bills."

House bill No. 313: An act granting to boards of county commissioners the power to create game reserves on certain islands within their respective counties, etc.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title, and referred to the Committee on Rules and Joint Rules.

House bill No. 371: An act providing for a closed season for trout, etc.

The bill was read the first time, and on motion of Senator Palmer the rules were suspended, the bill was read the second time by title, and referred to the Committee on Rules and Joint Rules.

House bill No. 367: An act to change the name of the state institution located at Vancouver.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, and referred to the Committee on Rules and Joint Rules.

House bill No. 21: An act creating the office of state oil inspector, etc.

The bill was read the first time, and on motion of Senator Baker the rules were suspended, the bill was read the second time by title, and referred to the Committee on Rules and Joint Rules.

The Senate adjourned at 9:10 p. m. on motion of Senator Baker.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

SIXTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, March 9, 1905.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Coon pursuant to adjournment.

Rev. W. S. Crockett offered prayer.

The secretary called the roll, all members being present except Senators Boone, excused, Earles, Clapp, excused, Van de Vanter, excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

The following resolution was read by the secretary, and on motion of Senator Smith (Dr. J. J.), was unanimously adopted:

RESOLUTION BY SENATOR SMITH (DR. J. J.).

WHEREAS, The following correspondents of the state press have labored to place the proceedings of the Senate in the ninth legislative session before the public in a fair, impartial and readable manner, and

WHEREAS, These correspondents have been placed under a serious handicap in the performance of their multitudinous duties and have at all times treated members of the Senate with the utmost courtesy and consideration, therefore be it

Resolved, That the Senate commends the newspapers for the wisdom shown in sending such able correspondents to report the legislative proceedings and extends its sincere thanks to the following correspondents: Seattle Post-Intelligencer, J. H. Brown, F. H. Goss, William J. Raymond, George Hagar; Seattle Times, M. M. Mattison; Seattle Star, Dan Dean; Seattle News, Paul Hedrick; Tacoma Ledger, Robert Hill, Edward Reynolds; Tacoma News, W. H. Rupp; Associated Press, R. G. Callvert; Spokesman-Review, David K. Larimer; Bellingham Herald, Roy Hadley; Olympia Olympian, David King; Olympia Recorder, Roderick Sprague; Portland Telegram, Mrs. Georgia Blankenship; Port Townsend Leader, F. Al Bartlett; Spokane Chronicle, Storey Buck; Walla Walla Union, A. H. Harris; Portland Oregonian, E. W. Wright; Spokane Press, G. B. Hunt.

The following resolution was read by the secretary:

RESOLUTION BY SENATOR BAKER.

Resolved, That J. W. Lysons, secretary of the Senate, be authorized to have the copy of the Senate journal prepared for the printer, and a suitable index prepared, and that he be allowed for said work the amount allowed for that purpose in the general appropriation bill. The state auditor is authorized and directed to issue a warrant for one-half of the amount when the printer's receipt for the copy is filed in his office, and the balance when the printer shall certify that the reading of proof on the journal index has been completed and the same found to be correct.

On motion of Senator Baker the resolution was adopted.

Senate bill No. 191: An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," etc.

The roll was called on final passage of Senate bill No. 191, and same passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Brown, Condon, Davis, Graves, Gunn, Hammer, Henrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Watson, Welsh, Wilson—33.

Those voting nay were: Senators Bronson, Christian, Moore—3.

Those absent or not voting were: Senators Boone, Clapp, Earles, Hunter, Stewart, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

GENERAL FILE.

House bill No. 396: An act providing for the office and appointment of chief deputy game warden and county game wardens, etc.

On motion of Senator Palmer the Senate resolved itself into a committee of the whole to consider House bill No. 396.

The bill was considered in the committee of the whole, Senator Smith (Dr. J. J.) in the chair, and reported back to the committee with the recommendation that it do pass.

On motion of Senator Smith (Dr. J. J.) the report of the committee of the whole was adopted.

On motion of Senator Palmer the reading had in the committee of the whole was considered the third reading of the bill, the rules being suspended, and the bill placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—34.

Senator Ruth voted nay.

Those absent or not voting were: Senators Boone, Clapp, Earles, Graves, Hunter, Moore, Van de Vanter—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 375: An act providing for the transportation of convicts to the state penitentiary, etc., was read third time.

Senator Moore moved to amend by striking out section 2 of the printed bill.

The amendment was lost.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Boone, Clapp, Earles, Hunter, Tucker, Van de Vanter—6.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Boone, Clapp, Earles, Hunter, Kinnear, O'Donnell, Stewart, Sumner, Van de Vanter—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 161: An act providing for the reappraisement of the tide lands in front of and adjacent to the city of South Bend, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Clapp, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Watson, Welsh, Wilson—36.

Senator Bratt voted nay.

Those absent or not voting were: Senators Boone, Earles, Sumner, Van de Vanter, Veness—5.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 168: An act amending an act entitled "An act to promote the fruit growing and horticultural interests," etc., was read third time.

Senator Tucker moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Moore the Senate resolved itself into a committee of the whole to consider House bill No. 168.

The bill was considered in the committee of the whole, Senator Hemrich in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Hemrich the report of the committee of the whole was adopted.

On motion of Senator Hemrich the rules were suspended and the reading of the bill had in the committee of the whole was considered the third reading.

On motion of Senator Condon the bill was amended by striking the following: Beginning with the words "All county," in line 15 of section 2 of the printed bill, to and including the word "expenses" in lines 17 and 18 of section 2 of the printed bill, and inserting in lieu thereof the following: "All county fruit inspectors shall be entitled to such pay for their services as the board of county commissioners of the county in which their work was performed may direct."

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Christian, Condon, Davis, Hammer, Hemrich, Hunter, Hutson, Kinnear, Le Crone, O'Donnell, Pauly, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Veness, Watson, Wilson—22.

Those voting nay were: Senators Bratt, Graves, Gunn, Henry, Kennedy, Pogue, Rasher, Russell, Stansell, Tucker, Welsh—11.

Those absent or not voting were: Senators Boone, Bronson, Brown, Clapp, Earles, Moore, Palmer, Sumner, Van de Vanter —9.

There being no objection the title of the bill was ordered to stand as the title of the act.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 93, an act requiring railroad companies to weigh cars loaded with lumber.

Also Senate substitute bill No. 212, requiring railroad companies to include in the weight of cars used the weight of the standards and other appliances.

Also Senate bill No. 80, relating to the state soldiers' home.

Also Senate bill No. 114, to provide for the establishment and creation of drainage districts, with the following amendment: Add the emergency clause to the title.

Also House bill No. 221, entitled "An act making an appropriation for certain deficiencies," etc.

Also House substitute bill No. 397, entitled "An act making appropriation for expenses of State government," etc.

The speaker has signed Senate bill No. 251, entitled "An act making an appropriation for expenses of the ninth Legislature," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House substitute bill No. 22: An act regulating life insurance companies, etc., was read third time.

Senator Graves moved to strike out section 5 of the printed bill.

The motion was lost.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Davis, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—32.

Those voting nay were: Senators Graves, Palmer—2.

Those absent or not voting were: Senators Baker, Boone, Clapp, Condon, Earles, Hunter, Moore, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 227: An act relating to the issue of licenses by counties, cities and towns for the sale or disposal of spirituous, fermented, malt or other intoxicating liquors, etc., was read third time.

Senator Graves moved to amend by striking out section 1 of the printed bill.

The motion was lost.

The bill was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Davis, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Wilson—32.

Those voting nay were: Senators Graves, Moore—2.

Those absent or not voting were: Senators Boone, Clapp, Condon, Earles, Gunn, Hunter, Van de Vanter, Welsh—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 41: An act providing for payment of assessments for local improvements against lots or tracts against which tax certificates are sought to be foreclosed, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Condon, Graves, Hemrich, Henry, Kennedy, Kinnear, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stansell, Sumner, Tucker, Watson, Welsh—23.

Those voting nay were: Senators Bronson, Christian, Davis, Le Crone, Rands, Stewart, Veness—7.

Those absent or not voting were: Senators Boone, Brown, Clapp, Earles, Gunn, Hammer, Hunter, Hutson, Russell, Smith (S. T.), Van de Vanter, Wilson—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

The following bills were signed by the president: House bill No. 55, House substitute bill No. 64, House substitute bill No. 96, and House bill No. 303.

House joint memorial No. 7, relating to national good roads, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith

(Dr. J. J.), Stansell, Sumner, Tucker, Veness, Watson, Welsh —32.

Those absent or not voting were: Senators Boone, Bratt, Clapp, Earles, Hunter, Russell, Smith (S. T.), Stewart, Van de Vanter, Wilson—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 146: An act amending the laws of 1893 and 1895, relative to assessment and collection of taxes of cities of the first class, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Reed, Russell, Ruth, Smith (Dr. J. J.), Stansell, Sumner, Tucker, Veness, Welsh—29.

Those absent or not voting were: Senators Boone, Bratt, Christian, Clapp, Earles, Hunter, Rands, Rasher, Smith (S. T.), Stewart, Van de Vanter, Wilson, Watson—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 147: An act amending laws of 1897 relative to assessment and collection of taxes in the State of Washington, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Graves, Hammer, Hemrich, Henry, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Tucker, Veness, Watson, Welsh—27.

Those absent or not voting were: Senators Boone, Bratt, Clapp, Condon, Davis, Earles, Gunn, Hunter, Hutson, Pogue, Stansell, Stewart, Sumner, Van de Vanter, Wilson—15.

There being no objection the title of the bill was ordered to stand as the title of the act.

House substitute bill No. 25: An act creating the office of and providing for the appointment of a highway commissioner, etc., was read third time.

On motion of Senator Tucker the Senate resolved itself into a committee of the whole to consider House substitute bill No. 25.

The bill was considered in the committee of the whole, Senator Veness in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Tucker the report of the committee of the whole was adopted.

On motion of Senator Tucker the rules were suspended and the reading had in the committee of the whole considered the third reading of the bill.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Brown, Christian, Condon, Davis, Gunn, Hammer, Henrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Watson, Welsh, Wilson—34.

Those absent or not voting were: Senators Boone, Bratt, Clapp, Earles, Graves, Hunter, Stewart, Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

Senator Smith (Dr. J. J.) was granted unanimous consent to introduce a resolution out of order.

The following resolution was read by the secretary:

RESOLUTION BY SENATOR SMITH (DR. J. J.).

WHEREAS, Lieutenant Governor Charles E. Coon has presided over the sessions of this Senate in a fair and impartial manner and with an ability that has greatly facilitated the business of this body, therefore be it

***Resolved*, That the members of the Senate extend to Lieutenant Governor Coon their thanks for his uniform courtesy and their congratulations upon his success as a presiding officer, and be it further**

***Resolved*, That the members of this Senate congratulate the people of the State upon their happy selection of a lieutenant governor.**

Senator Smith (Dr. J. J.) moved the adoption of the resolution.

Senator Baker, president *pro tem*, in the chair, called for a rising vote.

The resolution was unanimously adopted by a rising vote.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 251, appropriating the sum of ten thousand dollars, or so much thereof as may be necessary, for the expense of the ninth legislature, have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, O. A. Tucker.

On motion of Senator Palmer the following resolution was adopted:

Resolved, That the secretary be instructed to have printed a calendar showing all bills that have passed both branches of the Legislature and to mail to each senator three copies thereof, as soon after adjournment as possible.

On motion of Senator Stansell House bill No. 21 was, by unanimous consent, substituted for Senate bill No. 22.

House bill No. 21: An act creating the office of state oil inspector, etc., was read third time.

Senator Veness moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Stansell section 5 of the printed bill was stricken out and the following inserted in lieu thereof:

"The state oil inspector shall receive a salary of eighteen hundred dollars per annum and necessary office and traveling expenses, to be paid monthly out of the fees collected and all fees collected in excess of said salary and expenses shall be by him turned into the general fund of the state treasury."

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Hammer, Henry, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Welsh, Wilson—24.

Those voting nay were: Senators Graves, Gunn, Kinnear,

O'Donnell, Potts, Reed, Smith (Dr. J. J.), Veness, Watson—9.

Those absent or not voting were: Senators Boone, Clapp, Earles, Hemrich, Hunter, Hutson, Rands, Rasher, Van de Vanter —9.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 158: An act amending section 6 of an act entitled "An act to provide for the assessment and collection of taxes in municipal corporations of the third and fourth class," etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Russell, Ruth, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—30.

Those voting nay were: Senators Graves, Moore—2.

Those absent or not voting were: Senators Boone, Clapp, Earles, Gunn, Hunter, Rands, Rasher, Reed, Smith (S. T.), Van de Vanter—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Ruth House bill No. 35 was, by unanimous consent substituted on the calendar for House bill No. 244.

House bill No. 35: An act providing a method for the assessment and collection of an excise tax for express companies, etc., was read third time.

Senator Christian moved that the bill be indefinitely postponed.

A roll call on the motion to postpone was demanded by the following senators: Moore, Graves, Condon, Baker, Ruth, Potts, Watson.

The bill was indefinitely postponed by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Davis, Hunter, Hutson, Kinnear, Palmer, Pauly, Pogue, Reed, Smith (Dr. J. J.), Smith (S. T.), Sumner, Veness, Welsh —17.

Those voting nay were: Senators Bratt, Condon, Graves, Ham-

mer, Moore, O'Donnell, Potts, Rands, Russell, Ruth, Stewart, Tucker, Watson, Wilson—14.

Those absent or not voting were: Senators Boone, Clapp, Earles, Gunn, Hemrich, Henry, Kennedy, Le Crone, Rasher, Stansell, Van de Vanter—11.

On motion of Senator Christian House bill No. 244 was, by unanimous consent, taken up out of order.

House bill No. 244: An act relative to the admission in evidences of tax deeds, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Sumner, Tucker, Veness, Watson, Welsh, Wilson—30.

Those absent or not voting were: Senators Baker, Boone, Clapp, Earles, Gunn, Hemrich, Hunter, O'Donnell, Rasher, Stansell, Stewart, Van de Vanter—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

The president signed Senate bill No. 251.

House bill No. 72: An act amending an act relative to the registration of voters, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Baker, Boone, Clapp, Earles, Gunn, Stansell, Stewart, Sumner, Van de Vanter—9.

The emergency clause passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J.

J.), Smith (S. T.), Sumner, Tucker, Veness, Welsh, Wilson—31.

Those absent or not voting were: Senators Baker, Boone, Clapp, Earles, Gunn, Hemrich, Rasher, Stansell, Stewart, Van de Vanter, Watson—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 313: An act granting to boards of county commissioners the power to create game reserves on certain islands within their respective counties, etc., was read third time.

On motion of Senator Moore lines 15 and 16 of section 1 of the printed bill were stricken out.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Hammer, Henry, Hunter, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Sumner, Veness, Welsh, Wilson—26.

Those voting nay were: Senators Hemrich, Palmer, Smith (S. T.)—3.

Those absent or not voting were: Senators Boone, Clapp, Earles, Graves, Gunn, Hutson, Rasher, Russell, Stansell, Stewart, Tucker, Van de Vanter, Watson—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

House substitute bill No. 70: An act relating to the payment of assessments made on state, school, granted and other lands for the purpose of drainage, etc., and declaring an emergency.

On motion of Senator Hammer the Senate resolved itself into a committee of the whole to consider House substitute bill No. 70.

The bill was considered in the committee of the whole, Senator Kinnear in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendment:

Strike out section 2 of the printed bill and insert in lieu thereof the following: "Section 2. That in all instances when any assessment heretofore made or shall hereafter be made on State, school, granted or other lands for the purpose of dikes and drainage, the same shall be collected and paid in accordance with the provisions of section 1 of this act.

On motion of Senator Kinnear the report of the committee of the whole was adopted.

On motion of Senator Hammer the rules were suspended and the reading had in the committee of the whole considered the third reading of the bill, the bill placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Gunn, Hammer, Hemrich, Henry, Hunter, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Welsh, Wilson—31.

Those absent or not voting were: Senators Boone, Clapp, Davis, Earles, Graves, Hutson, Rasher, Russell, Van de Vanter, Veness, Watson—11.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Hammer, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (S. T.), Tucker, Veness, Watson, Welsh, Wilson—29.

Those absent or not voting were: Senators Boone, Clapp, Davis, Earles, Graves, Gunn, Hemrich, Rasher, Smith (Dr. J. J.), Stansell, Stewart, Sumner, Van de Vanter—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 237: An act providing for the payment to lessees of tide lands by subsequent lessees or purchasers of all improvements, etc., was read third time.

Senator Rands moved to amend by striking out section 4 of the printed bill.

The amendment was lost.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S.

T.), Stansell, Stewart, Sumner, Tucker, Veness, Welsh, Wilson —32.

Senator Rands voted nay.

Those absent or not voting were: Senators Boone, Christian, Clapp, Earles, Hutson, O'Donnell, Rasher, Van de Vanter, Watson—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 367: An act to change the name of the state institution located at Vancouver, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Tucker, Veness, Welsh, Wilson—35.

Those absent or not voting were: Senators Boone, Clapp, Earles, Rasher, Stewart, Van de Vanter, Watson—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 359: An act amending an act classifying counties according to population, etc., was read third time.

On motion of Senator Kinnear the bill was indefinitely postponed.

House bill No. 377: An act to prevent the acceptance of gifts, bonuses, etc., by agents, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Bratt, Brown, Christian, Condon, Graves, Hammer, Hemrich, Henry, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Smith (Dr. J. J.), Smith (S. T.), Stansell, Sumner, Veness, Watson, Welsh, Wilson—27.

Those voting nay were: Senators Baker, Ruth—2.

Those absent or not voting were: Senators Boone, Bronson, Clapp, Davis, Earles, Gunn, Hunter, Hutson, Kennedy, O'Donnell, Stewart, Tucker, Van de Vanter—13.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 312: An act amending the laws relating to the adoption of legal heirs, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Tucker, Watson, Welsh, Wilson—30.

Senator Russell voted nay.

Those absent or not voting were: Senators Boone, Bronson, Clapp, Earles, Henry, Hunter, Hutson, Ruth, Sumner, Van de Vanter, Veness—11.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 208: An act providing for the purchase of additional land adjoining the grounds of the state reform school, was read third time.

On motion of Senator Hammer the Senate resolved itself into a committee of the whole to consider House bill No. 208.

The bill was considered in the committee of the whole, Senator Veness in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Veness the report of the committee of the whole was adopted.

The bill was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Brown, Christian, Condon, Davis, Graves, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (Dr. J. J.), Stewart, Tucker, Veness, Watson, Welsh, Wilson—30.

Those absent or not voting were: Senators Boone, Bronson, Clapp, Earles, Gunn, Hunter, O'Donnell, Russell, Smith (S. T.), Stansell, Sumner, Van de Vanter—12.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Watson House bill No. 69 was taken up out of order.

House bill No. 69: An act to establish a fish hatchery on the east fork of the Lewis river, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Tucker, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Boone, Bronson, Clapp, Earles, Hunter, Rasher, Stansell, Stewart, Sumner, Van de Vanter—10.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The House has passed Senate bill No. 251, entitled "An act appropriating the sum of ten thousand dollars for the expenses of the ninth Legislature."

Also Senate bill No. 229, an act to prevent fraud upon travelers.

Also Senate bill No. 248, making an appropriation for the payment of the commissioners of the Lewis and Clark exposition.

Also Senate bill No. 209, appropriating $5,000 for litigation expenses in the case against the State of Oregon.

Also Senate bill No. 163, to provide for payment of expenses for dikes and dams in certain cases.

The speaker has signed Senate bill No. 140, amending the law relating to river improvement districts, etc.

Also Senate bill No. 185, making appropriations for certain deficiencies, etc.

Also Senate bill No. 26, amending the law relating to enforcement of liens for labor and material, etc.

Also Senate bill No. 108, to provide against the adulteration of live stock food, etc.

Also Senate bill No. 1, regulating common carriers, etc.

Also Senate bill No. 54, appropriating funds for the payment of expenses, etc., of the presidential electors, etc.

Also Senate bill No. 119, to promote the agricultural interests of the State of Washington, etc.

Also Senate bill No. 237, authorizing the execution of bonds, etc.

Also Senate bill No. 20, requiring the labeling of explosives, etc.

Also Senate bill No. 201, regulating the keeping and deposit of municipal funds.

Also House bill No. 55, entitled "An act to create a state fish hatchery on the Little Spokane river."

Also House substitute bill No. 64, entitled "An act giving to county commissioners power to grant certain public utility franchises," etc.

Also House substitute bill No. 96, entitled "An act relating to justices of the peace," etc.

Also House bill No. 303, entitled "An act relating to taxation of bequests for charitable purposes," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

At the request of Senator Graves unanimous consent was given to take up House bills Nos. 330, 256 and 170 out of order.

House bill No. 330: An act in relation to poisons and prohibiting the combination of poisonous substances with crackers, bread, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Christian, Condon, Davis, Graves, Gunn, Henrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—32.

Those absent or not voting were: Senators Boone, Bronson, Brown, Clapp, Earles, Hammer, Hunter, Rasher, Stansell, Van de Vanter—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 256: An act to provide for the sending of nonresident insane persons to their place of residence, etc., was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith

(Dr. J. J.), Smith (S. T.), Tucker, Veness, Watson, Welsh, Wilson—33.

Those absent or not voting were: Senators Boone, Clapp, Earles, Hemrich, Hunter, Stansell, Stewart, Sumner, Van de Vanter—9.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 170: An act amending an act creating a state oyster commission, etc.

On motion of Senator Welsh the Senate resolved itself into a committee of the whole to consider House bills Nos. 170, 132 and 257.

House bills Nos. 170, 132 and 257 were considered in the committee of the whole, Senator Palmer in the chair, and reported back to the Senate with the recommendation that they do pass.

On motion of Senator Welsh the report of the committee of the whole was adopted.

The rules were suspended, on motion of Senator Welsh and the reading had of House bill No. 170 in the committee of the whole was considered the third reading of the bill, the bill placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Boone, Clapp, Earles, Graves, Hunter, Rasher, Van de Vanter—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Welsh the rules were suspended and the reading had of House bill No. 132 in the committee of the whole was considered the third reading of the bill.

House bill No. 132: An act for the relief of Henry Somers, was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry,

Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Boone, Bronson, Clapp, Earles, Hunter, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 257: An act for the relief of P. M. Troy, etc.

On motion of Senator Welsh the rules were suspended, the reading of the bill had in the committee of the whole considered the third reading, the bill placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Christian, Clapp, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—36.

Those absent or not voting were: Senators Boone, Brown, Earles, Hunter, Rasher, Van de Vanter—6.

There being no objection the title of the bill was ordered to stand as the title of the act.

House bill No. 297: An act relating to revenue and taxation, was read third time, placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hutson, Kennedy, Kinnear, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—35.

Those absent or not voting were: Senators Boone, Bratt, Bronson, Clapp, Earles, Hunter, Van de Vanter—7.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sumner the Senate resolved itself into

a committee of the whole to consider House bill No. 221 and House substitute bill No. 397.

House bill No. 221 and House substitute bill No. 397 were considered in the committee of the whole, Senator Moore in the chair, and reported back to the Senate with the recommendation that they do pass.

On motion of Senator Moore the report of the committee of the whole was adopted.

House bill No. 221: An act making an appropriation for certain deficiencies for the fiscal year ending March 31, 1905.

On motion of Senator Baker the rules were suspended and the reading had in the committee of the whole considered the third reading of the bill.

The bill was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Christian, Condon, Davis, Graves, Gunn, Hammer, Henrich, Henry, Hutson, Kennedy, Le Crone, Moore, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson--32.

Those absent or not voting were: Senators Boone, Brown, Clapp, Earles, Hunter, Kinnear, O'Donnell, Russell, Van de Vanter, Smith (Dr. J. J.)—10.

There being no objection the title of the bill was ordered to stand as the title of the act.

House substitute bill No. 397: An act making appropriations for the maintenance of the State government, etc.

On motion of Senator Baker the rules were suspended and the reading had in the committee of the whole considered the third reading of the bill.

The roll was called on final passage and the bill passed by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Davis, Gunn, Hammer, Henrich, Henry, Hutson, Kennedy, Le Crone, Moore, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh, Wilson—32.

Those voting nay were: Senators Graves and Palmer—2.

Those absent or not voting were: Senators Boone, Clapp, Earles, Hunter, Kinnear, O'Donnell, Smith (Dr. J. J.), Van de Vanter—8.

There being no objection the title of the bill was ordered to stand as the title of the act.

At the request of Senator Smith (Dr. J. J.), he was, on motion of Senator Smith (S. T.), excused from further attendance on the sessions of the Senate.

At the request of Senator Tucker the House amendments to Senate bill No. 4 were by unanimous consent taken up out of order.

Senator Welsh moved that Senate bill No. 4 be indefinitely postponed.

The president ruled the motion out of order.

Senator Stewart moved that the Senate do not concur in the House amendments to Senate bill No. 4.

Senator Palmer moved the previous question.

The motion was carried.

The motion of Senator Stewart was carried and the Senate refused to concur in the House amendments to Senate bill No. 4.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The House has failed to pass Senate bill No. 23, entitled "An act relating to the ownership of lands in the State of Washington by aliens," etc.

The House has passed Senate bill No. 246, entitled "An act to pro vide for the preservation of the forests of this State," etc.

Also Senate memorial No. 8, relating to the Olympic forest reserve, etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senator Baker moved that all Senate and House bills which have not heretofore been considered by the Senate be indefinitely postponed.

The motion was carried.

Senate concurrent resolution No. 22, relating to the appointment of a joint committee to officially visit the Lewis and Clark exposition, etc.

On motion of Senator Rands the Senate concurred in the House amendments to Senate concurrent resolution No. 22.

Senate bill No. 114: An act to amend an act relating to the establishment of drainage districts, etc.

On motion of Senator Hammer the Senate concurred in the House amendments to Senate bill No. 114 by the following vote:

Those voting yea were: Senators Baker, Bratt, Bronson, Brown, Christian, Condon, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (Dr. J. J.), Smith (S. T.), Stewart, Sumner, Tucker, Veness, Watson, Wilson—32.

Those absent or not voting were: Senators Boone, Clapp, Davis, Earles, Gunn, Kennedy, Kinnear, Stansell, Van de Vanter, Welsh—10.

Senate bill No. 180: An act establishing hunters' licenses, etc.

On motion of Senator Palmer the Senate concurred in the House amendments to Senate bill No. 180, by the following vote:

Those voting yea were: Senators Baker, Bronson, Brown, Christian, Condon, Hemrich, Henry, Hunter, Hutson, Kennedy, Le Crone, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Veness, Watson, Welsh, Wilson—29.

Those absent or not voting were: Senators Boone, Bratt, Clapp, Davis, Earles, Graves, Gunn, Kinnear, Moore, Smith (Dr. J. J.), Tucker, Van de Vanter, Hammer—13.

Senate substitute bill No. 249: An act providing for and regulating the selection of jurors in the superior courts of the State, etc.

On motion of Senator Pauly the Senate concurred in the House amendments to Senate substitute bill No. 249 by the following vote:

Those voting yea were: Senators Baker, Brown, Condon, Graves, Hammer, Hemrich, Henry, Hunter, Hutson, Le Crone,

Moore, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson—25.

Those absent or not voting were: Senators Boone, Bratt, Bronson, Christian, Clapp, Davis, Earles, Gunn, Kennedy, Kinnear, O'Donnell, Rasher, Smith (Dr. J. J.), Sumner, Van de Vanter, Wilson, Welsh—17.

Senate bill No. 176: An act to amend section 5 of an act entitled "An act to provide for the incorporation of associations for social, charitable and educational purposes," etc.

On motion of Senator Stewart the Senate concurred in the House amendments to Senate bill No. 176 by the following vote:

Those voting yea were: Senators Brown, Christian, Condon, Davis, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Smith (S. T.), Stansell, Stewart, Tucker, Veness, Watson, Welsh, Wilson—30.

Those absent or not voting were: Senators Baker, Bratt, Boone, Bronson, Clapp, Earles, Gunn, Hemrich, Kinnear, Smith (Dr. J. J.), Sumner, Van de Vanter—12.

Senate bill No. 65: An act relating to the annexation of contiguous territory by neighboring counties, etc.

On motion of Senator Watson the Senate concurred in the House amendments to Senate bill No. 65 by the following vote:

Those voting yea were: Senators Brown, Christian, Condon, Davis, Graves, Hammer, Henry, Hunter, Hutson, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh—29.

Those absent or not voting were: Senators Baker, Boone, Bratt, Clapp, Earles, Gunn, Hemrich, Kinnear, Russell, Smith (Dr. J. J.), Van de Vanter, Wilson, Bronson—13.

House bill No. 165: An act to prohibit the sale and disposition of intoxicating liquors within one thousand feet of any public library, public school, etc.

On motion of Senator Pauly the Senate concurred in the House amendments to Senate bill No. 165 by the following vote:

Those voting yea were: Senators Brown, Christian, Condon, Davis, Graves, Gunn, Hammer, Hemrich, Henry, Hunter, Hut-

son, Kenncdy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh—31.

Those absent or not voting were: Senators Baker, Boone, Bratt, Bronson, Clapp, Earles, Kinnear, Russell, Smith (Dr. J. J.), Van de Vanter, Wilson—11.

Senate substitute bill No. 243: An act to provide for the publication and sale of the Washington Supreme Court Reports.

Senator Welsh moved that the Senate concur in the House amendments to Senate substitute bill No. 243.

Senator Graves moved as a substitute that the Senate do not concur in the House amendments to Senate bill No. 243.

The substitute motion was carried.

On motion of Senator Rands the Senate concurred in all the House amendments to Senate substitute bill No. 243 except the amendments in lines 6, 7 and 8 of section 2 of the printed bill, and the House was requested to recede from the amendment in lines 6, 7 and 8 of section 2 of the printed bill.

Senate bill No. 182: An act relating to the compulsory attendance of children between the ages of eight and fifteen years in public schools, etc.

Senator Welsh moved that the Senate do not concur in the House amendments to Senate bill No. 182.

The motion was carried.

On motion of Senator Welsh a conference committee of three members of the Senate was appointed to confer with a like committee from the House on the House amendments to Senate bill No. 182.

The president appointed as such conference committee Senators Tucker, Welsh and Brown.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The speaker has signed House bill No. 161, entitled "An act providing for the reappraisement of tide lands," etc.

Also House bill No. 227, entitled "An act relating to the issuing of licenses for the sale of liquors," etc.

Also House bill No. 375, entitled "An act providing for the transportation of convicts," etc.

Also House bill No. 336, entitled "An act relating to the foreclosure of assessments," etc.

Also House bill No. 141, entitled "An act providing for the organization of companies for clearing out rivers," etc.

Also House bill No. 113, entitled "An act authorizing corporations owning cemeteries to accept trust funds," etc.

Also House bill No. 239, entitled "An act relating to mileage of county commissioners," etc.

The House has concurred in Senate amendments to House bill No. 135, entitled "An act creating a fund to be known as the public highway fund.

Also to House bill No. 199, entitled "An act prohibiting the importation of horses," etc.

Also to House bill No. 327, entitled "An act providing for the levy, collection and payment of road taxes, etc.

Also to House bill No. 340, entitled "An act relating to trading stamps," etc.

Also to House bill No. 201, entitled "An act to provide for a closed season for clams," etc.

Also to House bill No. 254, entitled "An act to provide for a close season for crabs," etc.

Also to House bill No. 124, entitled "An act in relation to savings banks," etc.

STOREY BUCK, Clerk of the House.

At 3:50 p. m., on motion of Senator Christian, a recess was taken subject to a call of the chair.

The Senate was called to order at 3:55 p. m. by the president.

The following bills were signed by the president: House bills Nos. 239, 161, 227, 375, 336, 140, 141, 113, Senate bill No. 249.

At 4 o'clock p. m., on motion of Senator Welsh, a recess was taken until 8 o'clock this evening.

EVENING SESSION.

The Senate was called to order at 8 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senators Boone, excused, Clapp, excused, Earles, Hemrich, Kinnear, Smith (Dr. J. J.), excused, Van de Vanter, excused.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The House declines to recede from its amendments to Senate bill No. 4, entitled "An act authorizing the incorporation of fire relief associations," etc., and has appointed Messrs Reid, Lyons and Minard as a conference committee on the same.

The House has concurred in Senate amendments to House bill No. 21, creating the office of oil inspector, etc.

Also to House bill No. 182, entitled "An act relating to compulsory school attendance."

Also to House bill No. 72, entitled "An act regulating the registration of voters," etc.

Also to House bill No. 312, entitled "An act relating to the adoption of legal heirs," etc.

Also to House bill No. 297, entitled "An act relating to revenue and taxation."

Also to House bill No. 168, entitled "An act to promote the fruit growing interests in the State," etc.

Also to House bill No. 70, entitled "An act relating to the assessment of state, school and granted lands," etc.

The House declines to recede from its amendments to Senate bill No. 182, entitled "An act providing for the office of public printer," etc., and has appointed Messrs. Twichell, Roth and Benn a conference committee on the same.

The House declines to recede from its amendments to Senate bill No. 243, entitled "An act providing for the publication and sale of Washington Supreme Court Reports," etc., and has appointed Messrs. Linsley, Lambert and Kellogg as a conference committee on the same, and the bill is herewith transmitted.

The House declines to concur in Senate amendments to House bill No. 152, entitled "An act regulating automobiles," etc., and asks the Senate to recede, and the bill is herewith transmitted.

The House concurs in Senate amendments to House bill No. 313, entitled "An act granting to county commissioners the power to create game preserves," etc.

Also to House bill No. 276, entitled "An act authorizing cities to construct and conduct water works," etc.

The Speaker has signed House bill No. 158, entitled "An act providing for the assessment and collection of taxes," etc.

Also House bill No. 7, entitled "An act authorizing the assessment of certain lands for improvement purposes," etc.

Also House bill No. 244, entitled "An act relative to the admission in evidence of tax deeds," etc.

Also House substitute bill No. 22, entitled "An act regulating life insurance companies," etc.

Also House bill No. 367, entitled "An act relative to the state school for defective youth," etc.

Also House bill No. 226, entitled "An act to establish a general uniform system of public schools," etc.

Also House bill No. 330, entitled "An act in relation to poisons," etc.

Also House bill No. 216, entitled "An act providing for the protection and propagation of food fish," etc.

The House has concurred in the following Senate amendments to House bill No. 272, entitled "An act relating to peddlers," etc.:

Amendment inserting the words "windmills, lightning rods" after the word "ranges," in line 3, section 1.

Also in amendment striking out section 4 of the printed bill.

The House refuses to concur in amendment in line 4, section 1 of the printed bill, inserting the word "groceries" after the word "churns," and asks the Senate to recede from its amendment.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 165, entitled "An act to validate assessments for local improvements," etc.

Also Senate bill No. 209, entitled "An act appropriating the sum of five thousand dollars ($5,000) for the expenses in connection with the suit about to be instituted by the State of Washington against the State of Oregon to determine the boundary line between such states."

Also Senate bill No. 248, entitled "An act to provide for the payment and expenses incurred by the commissioners of the Lewis and Clark exposition, and making an appropriation therefor."

Also Senate substitute bill No. 212, entitled "An act regulating railroad companies and other common carriers in reference to chains, strips, railings, etc., necessary to the safe carriage of lumber, etc., and not adding said chains, etc., to weights charged."

Also Senate bill No. 229, entitled "An act to prevent fraud upon travellers and prescribing where, how and by whom railroad tickets shall be sold."

Also Senate bill No. 93, entitled "An act requiring railroad companies to weigh cars loaded with lumber."

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: C. G. Brown, H. Rasher.

The following bills were signed by the president: Senate bills Nos. 165, 93, 209, 248, 212, 229.

The president called Senator Bronson to the chair.

Senator Tucker moved that a conference committee of three members of the Senate be appointed to confer with a like committee from the House on the House amendments to Senate bill No. 4.

The motion was lost.

Senator Tucker moved that the House be notified that the Senate declines to concur in the House amendments to Senate bill No. 4 and refuses a conference committee.

The motion was carried.

The president resumed the chair.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The House has receded from the amendment in line 37 of section 6 of the original bill, in Senate bill No. 182, which changed the word "eight" to "sixteen," and requests that the Senate concur in the remainder of the amendments.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

Senator Baker moved that the Senate adhere to its amendments to House bill No. 272.

The motion was carried.

The president called Senator Reed to the chair.

On motion of Senator Hammer a conference committee of three members of the Senate was appointed to confer with a like committee from the House on the Senate amendments to House bill No. 272.

Senator Tucker moved that the Senate adhere to its amendments to House bill No. 152.

The motion was carried.

Senator Palmer moved that the House be notified that the Senate adheres to its amendments to House bill No. 152.

The president resumed the chair.

The president appointed as a conference committee on House bill No. 152 Senators Palmer, Moore and Henry.

On House bill No. 272 the president appointed as a conference committee Senators Hammer, Stewart and O'Donnell.

Senator Rands moved that a conference committee of three members of the Senate be appointed to confer with a like committee from the House on the House amendments to Senate substitute bill No. 243.

The motion was carried.

The president appointed as a conference committee on Senate substitute bill No. 243, Senators Rands, Graves and Palmer.

Senator Welsh was granted unanimous consent to introduce a resolution out of order.

The following resolution was read by the secretary, and on motion of Senator Welsh adopted:

SENATE CONCURRENT RESOLUTION No. 25.

WHEREAS, The time of the ninth session of the Legislature is about to expire and close, and the Legislature adjourn; now therefore, be it

Resolved, by the Senate, the House concurring, That the president of the Senate appoint two senators and the speaker of the House appoint three representatives, who shall constitute a committee to notify His Excellency, A. E. Mead, Governor, that the Legislature is about to adjourn, and ask if he have any communications to make to said legislative body.

The president appointed as a committee in accordance with the provisions of Senate concurrent resolution No. 25, Senators Welsh and Palmer.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The speaker of the House has appointed as a conference committee on House bill No. 152, regulating automobiles, Messrs. N. E. Linsley, Doolittle and McNicol.

The speaker has appointed as a conference committee on House bill No. 272, an act relating to pedlers, Messrs. Reiter, Crane and Dickson.

STOREY BUCK, Clerk of the House.

The president, in accordance with a resolution passed, announced the following appointments as members of the committee on Senate employes for the session of 1907, Senators Christian, Condon, Pauly, Veness, Brown.

Senator Christian moved that it is the sense of the Senate that no member shall promise support for any positions in the next Senate.

The motion was carried.

The following bills were signed by the president: House bills Nos. 158, 7, 244, 22, 367, 226, 330, 216, Senate bills Nos. 65, 163, 180, 176, 80, and Senate memorial No. 8.

Senator Rands was granted unanimous consent to introduce a resolution out of order.

The following resolution was read by the secretary:

Resolved, That for completing, comparing and signing the journal and other records of the Senate after the close of the session, the secretary to the lieutenant governor, the secretary and assistant secretary of the Senate, the docket clerk, the sergeant-at-arms, the minute clerk and assistant minute clerk, the journal clerk and assistant journal clerk be each allowed ten days' extra pay, at the regular per diem.

On motion of Senator Rands the resolution was adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

We, your Joint Conference Committee on House bill No. 152, to whom was referred House bill No. 152, entitled "An act regulating automobiles," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the committee be given the power of a free conference committee.

N. E. LINSLEY, Chairman.

We concur in this report: George T. Doolittle, Wm. Hickman Moore, W. A. Henry, E. B. Palmer, N. B. McNicol.

On motion of Senator Welsh the report of the committee was adopted and the committee was given the powers of a free conference committee.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The House has made the conference committee a free conference committee on House bill No. 152, an act regulating automobiles, etc.

STOREY BUCK, Clerk of the House.

REPORT OF CONFERENCE COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

We, your Conference Committee, to whom was referred Senate substitute bill No. 243, entitled "An act to provide for the publication and sale of the Washington Supreme Court Reports," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the Senate recede from its refusal to concur in House amendment to line 8 of section 2 thereof, and that the House recede as to the other House amendments.

E. M. RANDS, Chairman Senate Committee.

We concur in this report: J. B. Lindsley, chairman House committee; J. A. Kellogg, R. S. Lambert, E. B. Palmer, Will G. Graves.

On motion of Senator Welsh the report of the committee was adopted.

Senator Le Crone introduced the following resolution:

Resolved, That Emmett H. Holmes, the janitor of the Senate, be and hereby is authorized to put the Senate chamber in order, and that he shall be paid as compensation therefor the sum of twenty-five dollars.

On motion of Senator Davis the resolution was adopted.

Senator Welsh introduced the following resolution:

Resolved, That a committee of three senators be appointed to examine the Senate books and records and report on the condition of the same and the manner in which they have been kept during the session.

On motion of Senator Welsh the resolution was adopted.

The president appointed as a committee under said resolution Senators Welsh, Tucker and Reed.

REPORT OF CONFERENCE COMMITTEE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

We, your Committee on Conference, to whom was referred Senate bill No. 182, entitled "An act creating the office of public printer, providing for the appointment thereof, fixing the compensation

thereof, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the House recede from the amendment in line 28, section 6, engrossed bill, being line 37, section 6 of the original bill, which changed the word "eight" to "sixteen," and that the Senate concur in the remainder of the amendments.

F. A. TWICHELL, Chairman.

We concur in this report: Lee Van Slyke, Geo. T. Reid, O. A. Tucker, John T. Welsh, C. G. Brown.

On motion of Senator Welsh the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 165, entitled "An act validating assessments on local improvements," etc.

Also Senate bill No. 93, requiring railroads to weigh cars, etc.

Also Senate bill No. 209, appropriating $5,000.00 for suit of State of Washington against State of Oregon, etc.

Also Senate bill No. 212, requiring railroads and other common carriers to include weight, etc., in cars, etc.

Also Senate bill No. 229, to prevent fraud upon travelers, etc.

Also Senate bill No. 248, relating to payment of expenses of commissioners to Lewis and Clark exposition, etc.

Also Senate bill No. 65, for a fish hatchery in Cowlitz county.

Also Senate bill No. 163, entitled "An act to pay expenses re-dies, etc.

Also Senate bill No. 180, establishing hunters' licenses, etc.

Also Senate bill No. 176, amending law relating to organization of charitable organizations, etc.

Also Senate bill No. 80, relating to the soldiers' home.

Also Senate memorial No. 8, relating to Olympic forest reserve.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

The conference committee on House bill No. 272 reported that they were unable to agree with the committee from the House and requested that they be given the powers of a free conference committee.

On motion of Senator Davis the request of the committee was granted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The House has passed, as amended by the conference committee, Senate substitute bill No. 243, entitled "An act to provide for the publication and sale of the Washington Supreme Court Reports," etc.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

The roll was called on Senate substitute bill No. 243 as amended by the conference committee and same passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Graves, Hammer, Hunter, Kennedy, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Reed, Russell, Ruth, Stansell, Stewart, Sumner, Tucker, Veness, Watson, Welsh—28.

Those absent or not voting were: Senators Baker, Boone, Clapp, Earles, Gunn, Hemrich, Henry, Hutson, Kinnear, Rasher, Smith (Dr. J. J.), Smith (S. T.), Van de Vanter, Wilson—14.

The roll was called on Senate bill No. 182 as amended by the conference committee and same passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Brown, Christian, Condon, Davis, Gunn, Hunter, Hutson, Le Crone, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rasher, Reed, Russell, Ruth, Stansell, Stewart, Tucker, Veness, Watson, Welsh—26.

Those absent or not voting were: Senators Baker, Boone, Clapp, Earles, Graves, Hammer, Hemrich, Henry, Kennedy, Kinnear, Rands, Smith (Dr. J. J.), Smith (S. T.), Sumner, Van de Vanter, Wilson—16.

The president appointed as members of the committee to officially visit the Lewis and Clark exposition, etc., in conformity with Senate concurrent resolution No. 22, Lieutenant Governor Coon and Senators Rands, Clapp, Kennedy, Moore, O'Donnell, Hutson, Welsh.

REPORT OF FREE CONFERENCE COMMITTEE.

We, your Free Conference Committee on House bill No. 272, have been unable to reach an agreement, and the Senate members thereof have refused to recede from Senate amendments thereto, and have asked the House to recede therefrom.

E. HAMMER.
C. L. STEWART.
J. R. O'DONNELL.

On motion of Senator Hammer the report of the committee was adopted.

On motion of Senator Hammer the conference committee on House bill No. 272 was discharged.

MESSAGE TO THE SENATE.

OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The House has passed House bill No. 152, entitled "An act regulating automobiles," etc., with the amendments as recommended by the free conference committee.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 9, 1905.

To the Honorable, the Senate of the State of Washington:

I am directed by the Governor to inform you that he has this day approved the following measures:

Senate bill No. 140: "An act amending section twenty-one (21) of chapter one hundred and forty-three, Laws of 1903, relating to 'river improvement districts,' and the collection of taxes therein."

Senate bill No. 119: "An act to promote the apicultural interests of the State of Washington, providing for county inspectors of apiaries, defining their duties and providing for their compensation."

Senate bill No. 251: "An act appropriating the sum of ten thousand dollars or so much thereof as may be necessary, for the expenses of the

Senate bill No. 65: "An act to establish a state fish hatchery on the Toutle river, or some of its tributaries, in Cowlitz county, in the State of Washington.

Senate bill No. 165: An act to validate assessments made, or which may be made, to pay for local improvements, by any incorporated city in this State, and to prohibit the setting of such assessments aside or

declaring the same invalid upon any ground other than upon the ground of fraud.

Senate bill No. 248: An act to provide for the payment of expenses incurred by the commissioners of the Lewis and Clark exposition appointed under the act entitled "An act to provide for the collection, exhibition and maintenance of the products of the State of Washington at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, 1905, at Portland, Oregon, and making an appropriation therefor," approved March 21, 1903, and making an additional appropriation to provide for the expense of the Lewis and Clark commission of the State of Washington.

Senate bill No. 180: An act establishing hunters' licenses, providing for the disposition of moneys collected under the provisions thereof, creating a state fund and fixing penalties for its violation.

Senate bill No. 163: An act to provide for the payment of expenses incurred in compliance with an act entitled "An act to provide for the construction and maintenance of dikes and dams in certain cases," approved February 2, 1888, or of any acts amendatory thereof.

A. N. BROWN, Private Secretary.

REPORT OF FREE CONFERENCE COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

We, your Free Conference Committee on House bill No. 152, to whom was referred House bill No. 152, entitled "An act to regulate automobiles," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the House consents to all amendments except amendment striking section 12.

The Senate recedes from its amendment to section 12.

After word "act," in line 8, section 2, add "and shall be renewed annually thereafter."

We concur in this report: N. E. Linsley, W. A. Henry, E. B. Palmer, Wm. Hickman Moore, George T. Doolittle, W. B. McNicol.

The report was adopted.

On motion of Senator Davis the thanks of the Senate were tendered to the ministers of Olympia who have cheerfully tendered their services during the present session of the Legislature.

The roll was called on House bill No. 152 as amended by the free conference committee and same passed by the following vote:

Those voting yea were: Senators Bratt, Bronson, Christian, Condon, Davis, Graves, Gunn, Hammer, Henry, Hutson, Ken-

nedy, Le Croné, Moore, O'Donnell, Palmer, Pauly, Pogue, Potts, Rands, Rasher, Reed, Russell, Ruth, Stansell, Stewart, Tucker, Watson, Welsh—28.

Those absent or not voting were: Senators Baker, Boone, Brown, Clapp, Earles, Hemrich, Hunter, Kinnear, Smith (Dr. J. J.), Smith (S. T.), Sumner, Van de Vanter, Veness, Wilson—14.

MESSAGE FROM THE GOVERNOR

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 9, 1905.

To the Honorable, the Senate of the State of Washington:

I am directed by the Governor to inform you that he has this day approved the following measures:

Senate bill No. 54: "An act to appropriate funds for the payment of mileage and per diem of the presidential electors of the State of Washington."

Senate bill No. 20: "An act to provide for the marking and labeling of the vial, box, can or parcel containing any gasoline or benzine sold within this State, and providing a penalty for the violation thereof."

Senate bill No. 237: "An act authorizing the execution on behalf of the State of Washington of bonds in judicial proceedings, and declaring an emergency."

Senate bill No. 108: "An act to provide against the adulteration and sale of meals or ground grains used for feeding farm live stock, declaring the same a misdemeanor, providing a penalty therefor, and requiring the state dairy and food commissioner, attorney general and prosecuting attorneys to enforce the provisions hereof."

Senate bill No. 201: "An act regulating the keeping and deposit of municipal funds."

Senate bill No. 185: "An act making appropriations for certain deficiencies for fiscal periods prior to March 31, 1905, and for other purposes."

Senate bill No. 209: "An act appropriating the sum of five thousand dollars ($5,000) for the expenses in connection with the suit about to be instituted by the State of Washington against the State of Oregon to determine the boundary line between such states.

Senate substitute bill No. 212: "An act requiring railroad companies and other common carriers to include in the weight of cars used for the shipment of lumber and other manufactured lumber products, the weights of the standards, supports, strips, railings, chains and other appliances necessary to the safe carriage of such lumber and other manufactured lumber products, fixing the weights of such appliances

and the manner of adjusting freight charges on such shipments, and providing penalties for its violation, and punative damages.

Senate bill No. 176: An act to amend section 5 of an act entitled "An act to provide for the incorporation of associations for social, charitable and educational purposes," approved March 21, 1895.

Senate bill No. 93: An act requiring railroad companies to weigh cars loaded with lumber, shingles and other forest products at junction points, and at some common point or points, and fixing penalty; repealing chapter CXLIV, Session Laws of 1901.

Senate bill No. 80: An act to amend section 2 of an act approved March 18, 1901 (Laws 1901, p. 344), amending sections 2632 of Ballinger's Annotated Codes and Statutes of Washington (Laws of 1890, p. 269, sec. 2), relating to the state soldiers' home.

A. N. BROWN, Private Secretary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 176, entitled "An act to amend section 5 of an act entitled 'An act to provide for the incorporation of associations for social, charitable and educational purposes.'"

Also Senate joint memorial No. 8, relating to Olympic forest reserve.

Also Senate bill No. 180, entitled "An act establishing hunters' licenses, providing for the disposition of moneys collected under the provisions thereof," etc.

Also Senate bill No. 163, entitled "An act to provide for the payment of expenses incurred in compliance with an act," etc.

Also Senate bill No. 80, entitled "An act to amend section 2 of an act approved March 18, 1901 (Laws 1901, p. 344), amending section 2632 of Ballinger's Annotated Codes and Statutes of Washington (Laws of 1890, p. 269, sec. 2), relating to the state soldiers' home.

Also Senate bill No. 65, entitled "An act to establish a state fish hatchery on the Toutle river, or some of its tributaries, in Cowlitz county, in the State of Washington."

Also substitute Senate bill No. 249, entitled "An act providing for and regulating the selection of jurors," etc.

Have compared same with the engrossed bills and find them correctly enrolled.

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, H. Rasher, C. G. Brown.

REPORT OF SPECIAL COMMITTEE.

MR. PRESIDENT:

We, your special committee appointed to examine the Senate records and report on the manner in which the clerical work of the session has been performed, the present condition of the records, etc., beg leave to report as follows:

We have made a careful examination of the Senate journal, dockets, engrossing and enrolling departments, and have to report that all were found in excellent condition, with all the work as nearly completed to date as is possible in the closing days of the session. Neatness and accuracy were especially noticeable in the Senate records.

We desire to especially commend to the Senate the excellent work done by J. W. Lysons, secretary of the Senate, during the present session. To his excellent executive ability and general management of affairs is due the fact that the clerical work of the session has been kept in better shape from day to day than at any previous session of the State Senate.

Respectfully submitted.

JOHN T. WELSH, Chairman.

We concur in this report: Walter J. Reed, O. A. Tucker.

On motion of Senator Welsh the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The speaker has signed House bill No. 170, entitled "An act to create a state oyster commission," etc.

Also House bill No. 41, entitled "An act to provide for the payment of assessments for local improvements," etc.

Also House bill No. 256, entitled "An act to provide for the sending of insane to their place of residence," etc.

Also House bill No. 135, entitled "An act creating a fund to be known as the public highway fund," etc.

Also House bill No. 297, entitled "An act relating to revenue and taxation," etc.

Also House bill No. 208, entitled "An act to provide for the purchase of additional land for state reform school," etc.

Also House bill No. 25, entitled "An act creating the office of highway commissioner."

Also House bill No. 377, entitled "An act to prevent the acceptance of gifts, bonuses," etc.

Also House bill No. 340, entitled "An act making it a misdemeanor to sell or exchange property under the representations," etc.

Also House bill No. 254, entitled "An act providing for a close season for crabs."

Also House bill No. 221, entitled "An act making an appropriation for certain deficiencies," etc.

Also House bill No. 237, entitled "An act providing for the payment to lessees of tide lands," etc.

Also House bill No. 313, entitled "An act granting the board of county commissioners power to create game preserves."

Also House bill No. 132, entitled "An act for the relief of Henry Sommers," etc.

Also House bill No. 124, entitled "An act in relation to savings banks," etc.

Also House bill No. 327, entitled "An act providing for the levy and collection of road and property taxes," etc.

Also House bill No. 147, entitled "An act providing for the assessment and collection of taxes."

Also House bill No. 146, entitled "An act providing for the collection of taxes in cities of the first class," etc.

Also House substitute bill No. 70, entitled "An act relating to the assessment of state school and granted lands," etc.

Also House bill No. 199, entitled "An act prohibiting the importation of horses," etc.

Also House bill No. 312, entitled "An act relating to the adoption of legal heirs," etc.

Also House bill No. 396, entitled "An act providing for the appointment of office of chief deputy game warden."

Also House bill No. 257, entitled "An act for the relief of P. M. Troy et al."

Also House memorial No. 7, relating to good roads.

And the same are herewith transmitted.

The speaker has appointed as House members of the joint committee to visit the Lewis and Clark exposition, in accordance with Senate concurrent resolution No. 22, Mr. Speaker, Messrs. Falconer, Huxtable, Lambert, Williams, Fulton, Reid, Vilas, and Maloney.

The speaker has signed Senate substitute bill No. 249, entitled "An act providing for the selection of jurors," etc.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

The following bills were signed by the president: House bills Nos. 25, 208, 297, 135, 256, 41, 170, 313, 132, 257, 396, 327, 312, 190, 70, 146, 147, 124, 237, 221, 254, 340 and 377, and Senate joint memorial No. 7.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The speaker has signed House substitute bill No. 397, entitled "An act making appropriations for the various state institutions," etc.

Also House bill No. 337, entitled "An act providing for the protection and propagation of food fish," etc.

Also House bill No. 201, entitled "An act relating to the protection of clams," etc.

Also House bill No. 69, entitled "An act establishing a fish hatchery on the Lewis river," etc.

Also House bill No. 276, entitled "An act authorizing cities and towns to construct waterways," etc.

Also House bill No. 182, entitled "An act relating to the compulsory attendance of school children," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 9, 1905.

To the Honorable, the Senate of the State of Washington:

I am directed by the Governor to inform you that he has this day approved the following measure:

Senate bill No. 249: An act providing for and regulating the selection of jurors in the superior courts of the State; and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict therewith.

A. N. BROWN, Private Secretary.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The speaker has signed House bill No. 21, entitled "An act creating the office of state oil inspector."

Also House bill No. 272, entitled "An act relating to peddlers," etc.

Also Senate bill No. 114, entitled "An act to provide for the establishment of drainage districts," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

The president signed House bills Nos. 276, 182, 337, 201, 69, 21, 272 and 397, and Senate bills Nos. 114 and 246.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 246, entitled "An act to provide for the preservation of the forests of the State.

Also Senate bill No. 249, an act providing for and regulating the selection of jurors, etc.

Also Senate bill No. 114, entitled "An act to amend sections 3, 9 and 24 of an act entitled 'An act to provide for the establishment and creation of drainage districts.'"

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown, H. Rasher.

The following resolution was introduced by Senator Tucker:

Resolved, That for the work of compiling and indexing and forwarding to the members the list of bills passed by the Legislature, the secretary of the Senate be allowed the sum of twenty-five dollars.

On motion of Senator Tucker the resolution was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The House has passed, as amended by the conference committee, Senate bill No. 182, entitled "An act creating the office of public printer," etc.

The speaker has signed Senate bill No. 246, entitled "An act to provide for the preservation of the forests of the State.

And the same are herewith transmitted.

The House has passed concurrent resolution No. 25, relating to the appointing of a committee of three representatives to notify the Governor that the Legislature is about to adjourn. The speaker has appointed Messrs. Hare, Gleason and Reid, as members of said committee.

The speaker has signed House bill No. 152, entitled "An act regulating automobiles," etc.

Also House bill No. 72, entitled "An act relating to the registration of voters," etc.

Also House bill No. 168, entitled "An act to promote the fruit growing interest," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

A committee from the House, consisting of Messrs. Vilas, McCoy and Fulton, advised the Senate that the House had completed its labors and was ready to adjourn.

House bills Nos. 152, 72 and 168 were signed by the president.

Senator Palmer introduced the following resolution:

Resolved, That six employes at the desk and four in the enrolling room be allowed one day's extra pay for this night's work.

On motion of Senator Palmer the resolution was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 243, entitled "An act to provide for the publication and sale of the Washington Supreme Court Reports," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, H. Rasher.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905

MR. PRESIDENT:

The speaker has signed Senate substitute bill No. 243, entitled "An act to provide for the publication of the Washington Supreme Court Reports."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

The president signed Senate substitute bill No. 243.

The following resolution was introduced by Senator Welsh:

Resolved, That the thanks of the Senate be extended to the chairman and members of the Committee on Enrolled Bills and to the enrolling

clerk of the Senate for the careful and conscientious manner in which they have performed their labors during the present session, and especially for the arduous work performed by them during the closing days of the session.

On motion of Senator Welsh the resolution was adopted.

REPORT OF SPECIAL COMMITTEE.

OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT AND MR. SPEAKER:

We, your special committee appointed by the Senate and House, pursuant to concurrent resolution No. 25, to wait upon His Excellency, Governor A. E. Mead, and inform him that the Legislature was about to adjourn, and ask him if he had any further communications to make to such body, beg to report:

That we called upon the Governor and informed him that the Legislature was about to adjourn and asked him of he had any communication to make to the Legislature, and he informed us that he had no communication which he wished to make.

Respectfully submitted.

JOHN T. WELSH.
E. B. PALMER.
W. H. HARE.
CHAS. S. GLEASON.
GEO. T. REID.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The House has passed House bill No. 272, entitled "An act relating to peddlers' licenses," etc., as amended by the Senate.

STOREY BUCK, Clerk of the House.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 182, entitled "An act creating the office of public printer," etc., have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted.

GEO. A. KENNEDY, Chairman.

We concur in this report: Wm. Hickman Moore, C. G. Brown.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 9, 1905.

MR. PRESIDENT:

The speaker has signed Senate bill No. 182, creating the office of public printer.

And the same is herewitn transmitted.

STOREY BUCK, Clerk of the House.

The president signed Senate bill No. 182.

On motion of Senator Welsh the reading of today's journal was dispensed with and it was approved.

On motion of Senator Reed a committee of three was appointed to notify the House that the Senate is ready to adjourn.

The president appointed as such committee Senators Reed, Gunn and O'Donnell.

At 11:59 p. m., on motion of Senator Welsh, the Senate adjourned *sine die*.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

MEMORIAL SERVICES IN HONOR OF THE LATE SENATOR J. P. SHARP.

Pursuant to Senate concurrent resolution No. 17, a joint session of the Senate and House of Representatives was held in the House chamber on Sunday, March 5. The joint session was called to order at 2 o'clock p. m., by Lieutenant Governor Charles E. Coon, president of the Senate, who said:

We have assembled to pay tribute to our departed colleague, John P. Sharp, whose memory will ever be kept bright in our hearts.

He was a man of most kindly and lovable nature; a good and steadfast friend; a man actuated by lofty aims; a faithful and intelligent servant of the people, and he possessed those noble traits which must ever appeal to all that is best in human nature.

These ceremonies, simple and unpretentious as they are, enable us to say to the world that virtue and patriotism, and devotion to the best interests of the people are not soon forgotten, and, while we renew our faith in mankind, we desire also to commemorate those kindly qualities which our friend possessed in such large measure; qualities of mind and heart which must ever strengthen the bonds of sympathy between men and thus make the world better and brighter.

Rev. H. G. Sawin, pastor of the First Baptist church of Olympia, then delivered the following invocation:

Almighty God, our Heavenly Father, to whom belongeth wisdom and mercy, we beseech Thee to be gracious unto thy servants who are gathered for this memorial service in recognition of one who shared with them the responsibilities of an exalted public station. At that command which all must hear and obey, a senator has put off the harness of battle, and laid down the implements of labor and gone to meet Thee, O! God, in the quiet of this hour—the noise and strife of our human conflicts hushed in the peace of the Sabbath—as we confront the frailty of human life, may there be earnest resolve to emulate the fidelity to duty of him whom we today honor, that when death comes to us, we too may have a work done, a mission finished. We thank Thee for this life, so strong and true; to have known him, to have felt the influence of his personality, to have been a co-laborer with him in the affairs of state was a privilege; to enter into his labors is to enter into whatever things are just, and pure, and praiseworthy. O! God, let

not the work of thy servant fall to the ground, but bear it up to full completion, that "He that soweth and he that reapeth may rejoice together."

Merciful God, who giveth power to the faint and bindeth up the broken hearted, be with that group of mourners at the old home in the valley, who mourn the loss of husband, and father, and friend. Mercifully sustain them by thy grace and give them peace. Guide Thou our feet in paths of righteousness; lead our hearts into all the truth; and when life's pathway goes down into the valley and shadow of death may we fear no evil, for Thou art with us, and at its thither end —where the surges roll, where we leave this and go out to meet that world—"may we meet our Captain face to face," "and may there be no mourning at bar when we put out to sea"; may our going be a home-coming to the Father's house, where we shall dwell forevermore. Amen.

Senator Welsh said:

MR. PRESIDENT:

Death, that which takes from the perfumed flower its fragrance, from the star its brilliancy, from the emperor his crown, and from man his spirit, has taken from Senator Sharp all that was mortal, and from us his counsel and assistance in our labors. The ship in which he sailed on the voyage of life has reached its port, and delivered him, its passenger to the Father of the universe, who at last shall receive us, each and all.

We miss him. Behind the veil through which we cannot see, he answers the roll call of Him who caused this terrestrial sphere to revolve on its axis in its revolutions around the sun, of Him who gave us birth.

We meet today to pay our respects to the memory and to give our version of the character of our departed colleague; and if today all who knew him could come here, save only those who, in life, he intentionally wronged, then there are none but who could come here to pay a tribute to his virtues.

There are many of us who think not of life or death, only as we are reminded thereof, by the death of a relative or a friend. So, this day awakens, or should awaken, latent thoughts, and cause us to contemplate on life and death.

To think on life, its brevity, its uncertainty, is well for us. For then only do we realize our own weakness and insignificance, and that there is a power greater above and beyond weak, frail man, and that perhaps, after all ,that while here is brief, it may exist beyond the tomb.

Then only do we realize that we are here for a purpose and should act well the part assigned to us.

Then only does the emperor appreciate that his crown is unstable, the scholar that his time and capacity for knowledge is limited, the

rich that his power is fleeting and but of today, and the poor that his toil is not forever, but rest will come.

Such thoughts take from the malicious his hate, from the vain his pride, from the bigot his prejudice, from the atheist his positiveness and from the tyrant his cruelty.

For all men, irrespective of what be the scale of their intelligence, or the depth of their learning, or what be their creed, desire that life on this sphere be not all.

The simple red man of the forest, the Carthagenian slave, the haughty Roman emperor, the Greek philosopher and the pious monk, each and all wished and hoped for life beyond the grave, and that their conduct here would there merit everlasting reward.

No matter what our station or position in life may be, and no matter in what degree of latitude or longitude we were born, we are children of the same Father, and have the same hopes, the same desires as did they.

If this occasion causes us to fully appreciate that we are human, that the same fate awaits us which awaited our departed brother, our lives will thereby be bettered.

I served all of the eighth session of the Legislature, as a member of the Senate, with Senator Sharp; as a member of that legislative body, I served with him during the ninth session, until the time of his death.

We were friends; I knew him well, I respected him.

Were I to name the chief characteristics of his nature, I would denominate them as integrity, courage, knowledge of his own abilities, caution and firmness.

He was not hasty in reaching a conclusion, he proceeded with calmness and deliberation in the consideration of questions as they arose and upon which he was called to act.

In reaching a conclusion, the natural honesty of his mind first put on wings and soared slowly but surely out into the atmosphere of justice, where the clear sunlight of unbiased reason cast a halo of candor and fairness about him, and dispelled the foul mists of prejudice.

He was courageous. The courageous man is always firm, and is not intimidated by threats nor beguiled by sophistry.

The admiring applause of the multitude did not lead him astray, and the unjust censure of the unrighteous never swayed him from principles which he belived to be just.

Neither the silver tongue of the orator nor the corrupt influence of those having only private interests to subserve, were persuasive enough or powerful enough to lead him from the path of right into the highway of error.

He informed himself on the subjects which concerned his official

life, and then he honestly and faithfully gave the state the best service which he knew.

Senator Sharp was free from vanity.

He correctly estimated his own ability.

He was ambitious, but his ambition never led him to seek any place beyond his fitness and qualifications, consequently he was capable of filling any official position which he ever held, or to which he aspired.

In the legislative body of which he was a member at the time of his death, there were men more learned, men more eloquent than he, but, in that body, there were none more vigilant for the people's rights, nor more incorruptible than was he.

Senator Sharp was not a great man, in the sense in which that term is commonly applied, but if greatness consists in honestly and punctually performing the work undertaken, then he was a great man to an eminent degree.

When a man quits the scene of human action, much as he may be missed, his place is soon filled by others equally skilled, to perform the unfinished work which he leaves behind him.

But the man who performs well and faithfully the task assigned him, leaves, when death his eyelids close, an influence for good, as great and as permanent as though he had written an epic or won on the bloody battlefield the laurels of victory.

As long as honesty and faithfulness to a public trust are jewels in the crown of the republic, the career of Senator Sharp, as a public servant will command the admiration, and retain the respect of the people of the State of Washington.

To his wife and children, who survive him, he left the rich legacy of a good name.

The precious jewel of a good name is more valuable than green fields and much gold, more enduring than monuments of marble or bronze, for the elements cannot destroy and time cannot efface it.

Senator Rands said:

MR. PRESIDENT:

He who passes from the realm of mortality through the portal, death, into the great infinity of which we know nothing, without pausing upon the threshold till the body containing the vital spark has worn itself out and wasted away by some of the many ills to which flesh is heir, could not, were he himself permitted to choose, select a more appropriate end to a well-spent life.

Such apparently was the close of the career and end of the man, whose memory we would honor here today. Yet not so is the actual record in the great book wherein are contained facts and not appearances. J. P. Sharp seemingly worked in the portion of the vineyard allotted to him till almost the hour, when the recording angel said, "Come thou faithful servant, I will give thee rest." His indomitable

will caused him to stand at his post long after the physical frame had indicated its inability to remain on duty, and none of us fully realized while Senator Sharp was here attending faithfully to his duties that it was only by reason of the exercise of mind over matter that he remained among us as long as he did.

Senator Sharp was a man of the people, by whom he was universally esteemed and beloved. Those who knew him best liked him best, and no more touching tribute to his memory can be instanced than the mute testimony tendered when three weeks ago on that bleak wintry day his neighbors. one and all gathered with the delegation sent from this body upon the Kittitas Hill, where lies the mortal frame of our lamented friend, in token of their appreciation of his sterling worth.

His "column is broken" and the "sprig of accacia" marks his last resting place, but his record remains and his deeds live and will be remembered long after the mortal frame which we termed the man shall have crumbled to dust.

There was no more familiar figure about these legislative halls than that of Senator Sharp. He was looked upon as a fixture, and so far as his constituents had a say in the matter, he was, but the fleeting sands of his life were well nigh at the bottom of his hour-glass, when sickness compelled him to yield, at least for a time, to the demand of the body for a rest, and seek home and friends, where he hoped that time and care would restore him to his usual health. But it was written otherwise in the great book, and so within two short weeks from the date of his leaving these halls, he cheerfully answered the last roll-call and so passed to the great beyond.

Senator Sharp was esteemed as a Legislator for faithful service rendered. He had the courage to vote his convictions upon all questions, and was on no occasion controlled by prejudice or spite. His word once given to his associates was always kept inviolate.

True to himself, he could not be otherwise than true to his friends and associates in this body.

A man of good attainments, possessed of cool and discriminating judgment, with a willingness to work, he investigated carefully matters requiring action upon his part and thus left his impress for good upon the laws enacted by this body.

We shall miss him in our connsels. We shall often think of the happy hours of work and of pleasure in and about these halls, but above and beyond this we shall always remember our association with a good man, of pure impulses, kind words, strict integrity and of upright character.

When the time comes for us to depart hence to join his spirit in the great unknown, let us hope that our record will entitle us to the same commendation that is his meed today.

In him we knew an honest man, a good citizen, a faithful legislator and a true friend. More than this cannot be said of any man.

Senator Reed said:

MR. PRESIDENT:

We have assembled here today to pay the last tribute of respect to the late Senator John P. Sharp. I have personally known Senator Sharp for more than twenty-seven years, a great portion of that time as my friend and neighbor. He was one of the pioneers of the territory and State of Washington, coming from a pioneer stock which made the Ohio Valley one of the bright spots of our country; emigrating across the Mississippi valley, across the Dakotas, to the Pacific Northwest; settling in the Yakima and Kittitas valleys over thirty years ago, when that country was almost a barren waste.

By his untiring energy, with others has lived to see those valleys the most productive in this State.

He was respected in the community in which he lived and the people elected him, at different periods, as a commissioner, as a member of the Legislature, and twice to the Senate of the State of Washington. There he was an honored member, at the time of his demise.

His acts of charity to the people who came to the territory and State, to those seeking homes here, are well known to everyone in the Kittitas valley. We all knew him as a good citizen and a faithful public servant. And what is greater, he had been tried and trusted, and we knew him to be an honest man.

Senator Gunn said:

MR. PRESIDENT:

I can add nothing to the testimony of the older members of this body, as to the affectionate veneration with which Senator Sharp was esteemed. Many members have known him longer, and have been associated with him more closely. But I am glad of the opportunity to speak of his character and the love of his people for him.

Especially fitting was the close of his noble life. Peaceful it was, as a summer evening in this the land he loved. And like yonder great mountain, his character stands out, pure and honest, stable and unyielding. The winds have blown away the clouds of misunderstanding. Faint in the distance arises the hum of commercial life. Darkness hides the waters. But far above stands that great peak, and upon it rests the last faint ray of sunshine, like a benediction.

Senator Graves said:

MR. PRESIDENT:

The mysteries of life and death go on around us ceaselessly, unchangingly. Man feebly resents the destiny of death which is inexorably foreordained for him from the moment of his birth.

He struggles to fathom the mystery of his existence; to discover why he was brought into the world, and to what fate he goes when his

life's work is done. But he struggles in vain, for it is not given to the finite mind to penetrate the secrets of infinity. Man may hope and believe, but he can never know.

This much, however, we may claim to know: Man is not a freak of Nature. He is a part of the universal plan, and was placed upon the earth to fulfill a purpose. To every normal being is given a knowledge of right and of wrong. He who carries out the promptings of his better nature, steadily and unswervingly, has helped his fellow man to be better and happier, and by so much has elevated the whole human race. Such a man, surely, has fulfilled the purpose for which he was created.

I knew Senator Sharp intimately for a number of years. I knew him in his private and in his public life. Of his public life I need not speak, for it is known to every citizen of this State—incorruptible, unchangeable in his adherence to the right whatever argument of interest or policy was brought to bear upon him, quick to detect wrong however artfully concealed, he was an ideal public servant—his private life, the character of the man as it was known to his friends, is summed up in the statement that to them he was known as "Dad"—a homely sobriquet, but how much it speaks of the affectionate regard and esteeem! Happy is the man who can win that affectionate nickname from his sons, for it means that between them is perfect love and confidence. Much happier is he who wins it from his friends, for it betokens so much the greater lovableness of character that he had extorted such measures of regard from those who are not of his blood. And if ever man deserved that regard, Senator Sharp did, for never was there a more cheerful, unassuming, kindly and generous nature than his.

We grieve deeply for our departed friend—we grieve that the State has been deprived of his faithful services. We grieve that his lovable individuality has gone forever from our lives. But our grief is wholly selfish. It springs alone from our feeling of personal loss. For surely death does not end all. Surely the soul is not of a piece with the corruptible body. Surely he who has done his part in this life passes to a higher, happier life beyond. We cannot know this, but our faith approaches conviction. For us, then, is grief for the loss from our lives; for him for whom we mourn, certain and eternal happiness.

Mr. Megler, speaker of the House, said:

MR. PRESIDENT:

I served with Senator Sharp in the first House, and after that in the Senate. I knew him as a true and conscientious friend, one of whom the State may well be proud. Kittitas county and the State of Washington will miss him, as he always had a hand in honest legislation.

I hope that in the future, we may get as honest and good men in the Legislature as he.

Mr. Dickson said:

MR. PRESIDENT:

I believe the highest praise we can bestow upon any man is to say, that the story of his life, of what he said, what he did, and of what he was, and how he took part in the life of his time, is his best eulogy.

From other lips than mine, eloquent and able eulogies of the estimate of the character and career of my warm and lamented friend and neighbor of twenty-three years, have been given.

About twenty-three years ago, upon locating in the Kittitas valley, I first met John P. Sharp, he being one of the first settlers and a pioneer in that section.

My acquaintance gradually ripened into a friendship which became more in the nature of the respect and feeling existing between father and son.

His counsel and advice was sought and received by me on many occasions and was always such as a son should receive from a father.

It was not the fortune of the late Senator John P. Sharp to receive more than a common school education, but like many men he became proficient in agricultural and business matters which was his chosen vocation in life. He was a great leader and his memory was obedient to his will. I can say he was a man of fixed opinions, and when conclusions were reached and believed by him to be founded on principles of justice and truth it was useless to try to change his course.

He was conscientious and untiring in the discharge of public duty and during many years' service, he enjoyed the confidence of his friends and the respect of his opponents, and leaves a record of distinguished public service nobly rendered.

His work in every relation of life was nobly done. He brought to the discharge of official duties, high aims, conspicuous ability, pure motives and an honesty of purpose which never was criticised or questioned.

He was a loving and devoted husband, an indulgent father, a good neighbor and a staunch and loyal friend.

Peace be to his memory.

Mr. Hare said:

MR. PRESIDENT:

Again we are called upon to mourn the loss of a friend and member of this legislative body.

A few days ago, Senator J. P. Sharp was laid away in the cold, silent grave; but his many charitable acts and noble deeds will live forever.

It was my privilege to be intimately acquainted with Senator Sharp in his lifetime. I knew him in his domestic life, in his plain country a picture of contentment and happiness. In business, his word was his bond. In the legislative hall, he was a good counsellor and advisor, and members following his advice and judgment could not go astray.

He was charitable to those who opposed him and as true as steel to his friends.

Mr. President, I could pay no greater tribute to the memory of our friend, the late Senator J. P. Sharp, than to say he was a true friend and an honest man.

Mr. Maloney said:

MR. PRESIDENT:

The great archer, Mr. President, has indeed been busy in our midst. Choosing, as ever, the most illustrious and most lovable characters, He has called from out the ranks that distinguished member of the Legislature and my warm, personal and loved friend—Senator Sharp of Kittitas. While I have appreciated, and do now appreciate, the honor and opportunity to add my slight tribute to his worth and memory, I trust that my broken utterances will be pardoned in consideration of the long and intimate friendship that I enjoyed with our dead friend.

I desire to ask pardon for the use of the blunt Saxon words that I use, because it has never seemed satsifactory to me to describe the condition of those who leave us full of years and honors as "dead." The Latins were happier and more true, their form of expression was not "he is dead," but "Vixit"—he has lived. No layman can draw the curtain, and speculation as to the mystery is idle. Our friend, however, was not one who sicklied o'er the pale cast of thought by speculation. He builded his faith, as his life, upon the doctrine and practice of Christianity and yielded at the last his better part in absolute assurance that the Great Architect having builded well would not leave human fate incomplete and reasonless.

The personal and public life of our distinguished friend was an open book, which he who ran might read, and no one of those pages was soiled by an unkind deed or unkind thought. He was a model in his family, as in his public life. His fondness for children was a by-word in his county, in which I had the honor to dwell for many years, and from the time of his modest standing as the foreman of a farm until the hour of his death as one of our cleanest and most upright members, this kindliness of nature was preserved.

This is not the proper occasion, and, if it were, it might be impertinent for me to dwell upon his virtues as a husband and a father, but my intimate acquaintance with him has been such that I have known him in all capacities and wanting in none. With his public record you and the public generally are as well acquainted as am I, but in the course of his public life we all have known of the many insidious opportunities thrust upon him and that he never varied from the straight path in all his official conduct. Had I the silver tongue of the traditional eulogist, and were my heart sufficiently unaffected to permit me to use it, it would be my pleasure to make this a eulogy that would live, but I cannot do that nor have I the inclination. If I felt his death

less strongly, my poor abilities would be readier to my call to embalm his memory in the fluent amber of golden speech, but, feeling it as I do, I cannct attempt eulogy. Indeed it would be an idle and useless thing for me to attempt to enumerate his civic virtues to you who have known his long and honorable public career. For me to lift the pall from his bier to describe in detail his domestic virtues, would be prying into the sanctity of his life and intruding myself upon the grief of his stricken family and friends.

I hope to add not a touch to his memory, but wish simply to record myself as among those who admired his virtues. I epitomize my belief when I say that he lived the life of an honest, upright, Christian gentleman, and he of whom that can be truthfully and honestly said needs no words of eulogy, as he needs no advocate at the Bar at which he has appeared. He rested content during his life, with the calm assurance that one who lives the upright life need not disturb himself about the forms of tenet he embraces, but, having kept the faith, may enter the presence of his Maker unafraid and unabashed.

Rev. H. G. Sawin then pronounced the following benediction:

Almighty God, Thou that givest light, Thou that satisfieth the hungry soul, to Thee we come, Thou hast the words of eternal life. In the presence of death we stand questioning. We look into the open grave and question. We think of our own dying and ask—"If a man die shall he live again?" Without Thee "we are children crying in the dark." Merciful God, Thou hast caused the light of thy gospel to shine upon us. The further span of the bridge mysterious does not break down in clouds and darkness. By the light of thy gospel we see its further end resting upon the celestial floor, and thy servants passing over and entering into rest and peace forevermore. May Thy grace, mercy and peace be with us all, now and forevermore. Amen.

LIST OF MEMBERS OF THE SENATE OF THE STATE OF WASHINGTON FOR THE YEAR 1905, WITH POLITICS, OCCUPATION, COUNTIES REPRESENTED AND POST OFFICE ADDRESS OF EACH.

LIEUTENANT GOVERNOR CHARLES E. COON, Port Townsend, President of the Senate.

SENATOR GEO. H. BAKER, Goldendale, President Pro Tem. of the Senate.

J. W. LYSONS, Port Townsend, Secretary of the Senate.

NAMES	District	Counties	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Service	
								Senate	House
Baker, Geo. H.*	16	Klickitat, Skamania	Goldendale	45	Canada	Merchant	Rep.	1899-1901-03	1897
Boone, H. M.	9	Whitman	Palouse	47	Oregon	Merchant	Rep.	....	....
Bratt, E. C.	5	Spokane	Plaza	46	Indiana	Farmer	Rep.	....	....
Bronson, W. E.‡	26	Pierce	Tacoma	46	Wisconsin	Merchant	Rep.	....	....
Brown, Dr. C. G.	3	Spokane	Spokane	56	Illinois	Physician	Rep.	....	1891
Christian, Walter	27	Pierce	Tacoma	38	Illinois	Lawyer	Rep.	....	....
Clapp, Cyrus F.*	24	Clallam, Jefferson, San Juan, Island	Port Townsend	53	Maine	Capitalist	Rep.	1899-1901-03	1897
Condon, R. W.	23	Kitsap, Mason	Port Gamble	37	Washington	Lumberman	Rep.	....	....
Davis, Lincoln	28	Pierce	Tacoma	44	Iowa	Insurance	Rep.	1901-1903...	....
Earles, John*	42	Whatcom	Fairhaven	45	Wisconsin	Lumberman	Dem.	1903	1901
Graves, Will G.*	6	Spokane	Spokane	37	Illinois	Lawyer	Dem.	1903	....
Gunn, Arthur‡	13	Chelan, Kittitas	Wenatchee	38	Kentucky	Real Estate	Dem.	....	....
Hammer, Emerson*	40	Skagit	Sedro-Woolley	49	Indiana	Mfr. & M'ch'nt	Rep.	1899-1901-03	....
Hemrich, Andrew*	33	King	Seattle	48	Wisconsin	Brewer	Rep.	1899-1901-03	....
Henry, Walker A.†	4	Spokane	Spokane	64	Missouri	Stock Raiser	Rep.	....	1903
Hunter, T. A.	41	Whatcom	Blaine	41	Pennsylvania	Lumberman	Rep.	....	1903
Hutson, C. T.	11	Adams, Franklin, Walla Walla	Connell	29	Wisconsin	Lawyer	Rep.	....	....
Kennedy, Geo. A.	14	Lincoln	Odessa	31	Iowa	Banker	Rep.	....	....
Kinnear, Ritchie M.*	36	King	Seattle	35	Illinois	Real Estate	Rep.	1903	....
Le Crone, Samuel M.*	29	Pierce	Tacoma	58	Ohio	Pharmacist	Rep.	1899-1901-03	....
Moore, Wm. Hickman*	34	King	Seattle	43	Missouri	Lawyer	Dem.	1903	....

LIST OF MEMBERS OF THE SENATE OF THE STATE OF WASHINGTON FOR THE YEAR 1905, WITH POLITICS, OCCUPATION, COUNTIES REPRESENTED AND POST OFFICE ADDRESS OF EACH.

(Continued)

NAMES	District	Counties	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Service	
								Senate	House
O'Donnell, J. R.*	21	Chehalis	Elma	47	Ohio	Lumberman	Rep.	1903	....
Palmer, E. B.*	37	King	Seattle	36	Illinois	Lawyer	Rep.	1903	....
Pauly, Fred M.	12	Walla Walla	Walla Walla	51	German	Merchant	Rep.	....	....
Pogue, Dr. J. I.	1	Douglas, Ferry, Okanogan	Alma	56	Ohio	Physician and Stock Raiser	Rep.	....	1903
Potts, W. G.*	35	King	Seattle	31	Ireland	Hotel Prop'r	Rep.	1903	....
Rands, E. M.	17	Clark	Vancouver	48	Iowa	Lawyer	Rep.	1901-1903	....
Rasher, Huber*	7	Spokane	Spokane	57	Pennsylvania	Merchant	Rep.	1903	....
Reed, Walter J.†	15	Yakima	North Yakima	62	Scotland	Merchant	Dem.	....	....
Russell, S. S.	10	Asotin, Columbia, Garfield	Pomeroy	36	Pennsylvania	Lawyer	Rep.	....	....
Ruth, A. S.	22	Thurston	Olympia	39	Ohio	Civil Engineer	Rep.	....	....
Sharp, J. P.§	13	Chelan, Kittitas	Ellensburg	51	Germany	Farmer	Rep.	1901-1903	....
Smith, Dr. J. J.*	30	King	Enumclaw	34	West Virginia	Physician	Rep.	1903	1899
Smith, S. T.*	39	Snohomish	Marysville	50	Maine	Banker	Rep.	1901-1903	1899
Stansell, M. E.*	2	Stevens	Rice	49	Michigan	Farmer	Rep.	1903	....
Stewart, C. L.	25	Pierce	Puyallup	40	Washington	Merchant	Rep.	1903	....
Sumner, T. B.	38	Snohomish	Everett	48	Wisconsin	Manufacturer	Rep.	1901-1903	1899
Tucker, Orville A.*	32	King	Fremont	43	Wisconsin	Lawyer	Rep.	1901-1903	....
Van de Vanter, A. T.*	31	King	Duwamish	45	Michigan	Horseman	Rep.	1903	1901
Veness, J. A.	20	Lewis	Winlock	56	N. Brunswick	Lumberman	Rep.	1891-03-1903	....
Watson, A. L.	18	Cowlitz	Kalama	43	Ohio	Fisherman	Rep.	....	1903
Welsh, John T.*	19	Pacific, Wahkiakum	South Bend	38	Pennsylvania	Lawyer	Rep.	1903	....
Wilson, Dr. G. B.*	8	Whitman	Pullman	43	California	Physician	Rep.	1903	....

* Holdover. † Veteran of Civil War. ‡ Elected to fill unexpired term. § Died February 9, 1905.
Republicans, 38; Democrats, 4; total, 42.

SENATE EMPLOYES.

Names.	*Residence.*	*Title.*	*Per Diem.*
J. W. Lysons	Seattle	Secretary	$7.50
W. T. Laube	Pt. Townsend	Assistant Secretary	6.00
George J. Hurley	Republic	Sergeant-at-arms	6.00
Wm. Connor	Seattle	Assistant Sergeant-at-arms	5.00
George Gregory	Seattle	Minute clerk	5.00
C. B. Wood	Pt. Townsend	Docket clerk	5.00
J. H. Matthews	Everett	Journal clerk	5.00
J. Fred Duffy	Seattle	Assistant Journal clerk	5.00
Frank A. Hall	Edison	Enrolling clerk	5.00
Frank Seidel	Seattle	Assistant Enrolling clerk	4.50
Louis G. Todd	Davenport	Engrossing clerk	5.00
F. M. Burke	Walla Walla	Assistant engrossing clerk	4.50
J. C. Le Crone	Tacoma	Calendar clerk	4.00
Herbert Shaw	Bellingham	Bill clerk	5.00
John Herring	Tacoma	Assistant bill clerk	4.00
John Shepard	Vancouver	Postmaster	4.00
Eugene Davis	Marysville	Assistant postmaster	4.00
J. T. Jones	Centralia	Postoffice messenger	4.00
L. W. Speece	Allyn	General messenger	4.00
W. E. Ostrander	Seattle	Stenographer	5.00
Emmett Holmes	Spokane	Janitor	4.00
J. B. Hagen	Spokane	Assistant Janitor	4.00
A. F. Haynes	Bremerton	Assistant Janitor	4.00
C. C. MacMillan	Puyallup	Doorkeeper	4.00
J. C. Burns	Oakesdale	Assistant doorkeeper	4.00
J. M. Scott	Blaine	Assistant doorkeeper	4.00
J. W. Buker	Olympia	Assistant doorkeeper	4.00
T. F. Kelly	Tacoma	Watchman	4.00
C. L. Wood	Spokane	Night watchman	4.00
Webb Hurley	Republic	Page to lieutenant governor	2.00
Chester K. Burrows	Spokane	Page	2.00
James Condra	Olympia	Page	2.00
Walter Skinner	Olympia	City messenger	2.00

STANDING COMMITTEES OF THE SENATE.

AGRICULTURE.—Sharp, chairman; Gunn, chairman; Van de Vanter, Stansell, Pogue, Pauly, Russell, Bratt.

APPROPRIATIONS.—Baker, chairman; Clapp, Stewart, Hunter, Rands, Hammer, Wilson, Tucker, Sumner, Rasher, Veness.

BANKS AND BANKING.—Smith (S. T.), chairman; Veness, Baker, Kinnear, Rasher, Kennedy, Condon.

CITIES OF THE FIRST CLASS.—Christian, chairman; Potts, Sumner, Earles, Kinnear, Bronson, Brown.

CLAIMS AND AUDITING.—Palmer, chairman; Tucker, Welsh, Smith (S. T.), Pauly.

COMMERCE.—Condon, chairman; Hunter, Christian.

CONGRESSIONAL DISTRICTS.—Smith (Dr. J. J.), chairman; Sumner, Rands, Le Crone, Stansell, Reed, Henry.

CONSTITUTION AND CONSTITUTIONAL REVISION.—Graves, chairman; Le Crone, Smith (Dr. J. J.), Moore, Christian, Hutson, Reed.

CORPORATIONS OTHER THAN MUNICIPAL.—Clapp, chairman; Welsh, O'Donnell, Smith (Dr. J. J.), Smith (S. T.), Rands, Stansell, Sharp, Brown.

COUNTIES AND COUNTY BOUNDARIES.—Reed, chairman; Baker, Sharp, Gunn, Van de Vanter, Hutson, Pauly, Boone.

DAIRY AND LIVESTOCK.—Boone, chairman; Henry, Van de Vanter, Pauly, Reed, Pogue, Kennedy.

DIKES, DRAINS AND DRAINAGE.—Hammer, chairman; Ruth, Le Crone.

EDUCATION.—Le Crone, chairman; Earles, O'Donnell, Stewart, Ruth, Henry, Kennedy.

EDUCATIONAL INSTITUTIONS.—Hunter, chairman; Tucker, Sharp, Gunn, Wilson, Christian, Bratt, Pauly.

ELECTION AND PRIVILEGES.—Henry, chairman; Baker, Palmer, Ruth, Earles, O'Donnell, Van de Vanter.

ENGROSSED BILLS.—Pogue, chairman; Condon, Bronson, Hutson, Russell.

ENROLLED BILLS.—Kennedy, chairman; Moore, Tucker, Rasher, Brown.

FISHERIES.—Welsh, chairman; Van de Vanter, Baker, Davis, Sumner, Earles, Potts, Hammer, Watson, Condon, Moore.

GAME AND GAME FISH.—Palmer, chairman; Rands, Hemrich, Stansell, Stewart, Potts, Boone.

HARBOR AND HARBOR LINES.—Bronson, chairman; Earles, Clapp, Hemrich, Condon.

HORTICULTURE AND FORESTRY.—Earles, chairman; Sharp, Gunn, Bronson, Pogue, Bratt.

INSURANCE.—Veness, chairman; Baker, Clapp, Davis, Smith (Dr. J. J.), Rasher, Hutson.

IRRIGATION AND ARID LANDS.—Hutson, chairman; Ruth, Sharp, Gunn, Watson, Moore, Reed, Pogue.

JUDICIARY.—Rands, chairman; Palmer, Graves, Kinnear, Moore, Tucker, Welsh, Hunter, Christian, Hutson, Russell.

LABOR AND LABOR STATISTICS.—Davis, chairman; Clapp, Moore, O'Donnell, Condon, Veness, Henry.

MANUFACTURE.—Hemrich, chairman; Smith (S. T.), Wilson, Bronson, Condon.

MEDICINE, DENTISTRY AND HYGIENE.—Wilson, chairman; Smith (Dr. J. J.), Pogue.

MEMORIALS.—Moore, chairman; Rasher, Hemrich.

MILITARY.—Rasher, chairman; Stewart, Welsh, Kinnear, Reed, Henry, Boone.

MINES AND MINING.—Stansell, chairman; Ruth, Davis, Bronson, Hunter, Graves, Brown, Bratt, Pogue.

MISCELLANEOUS.—Kinnear, chairman; Hammer, Hunter, Condon, Watson.

MUNICIPAL CORPORATIONS.—O'Donnell, chairman; Hammer, Smith (Dr. J. J.), Stewart, Sharp, Kennedy, Watson, Hunter, Reed.

PRINTING.—Tucker, chairman; Le Crone, Potts, Welsh, Russell, Brown, Pogue.

PUBLIC BUILDINGS AND GROUNDS.—Ruth, chairman; Potts, Rasher, Stewart, Hemrich, Graves, Boone.

PUBLIC MORALS.—Bratt, chairman; Le Crone, Palmer, Stewart, Watson, Boone.

PUBLIC REVENUE AND TAXATION.—Sumner, chairman; Hemrich, O'Donnell, Stansell, Veness, Tucker, Wilson, Hutson, Bronson, Kennedy, Bratt.

RAILROADS AND TRANSPORTATION.—Van de Vanter, chairman; Clapp, Sumner, Stansell, Rands, Davis, Wilson, Brown, Russell, Hutson, Veness.

ROADS AND BRIDGES.—Stewart, chairman; Smith (S. T.), Hammer, Stansell, Christian, Veness, Pauly, Bratt, Kennedy.

RULES AND JOINT RULES.—Charles E. Coon, chairman; Baker, Smith (Dr. J. J.), Clapp, Davis.

SALARIES AND MILEAGE.—Watson, chairman; Van de Vanter, Davis, Brown, Boone.

SENATE EMPLOYES OTHER THAN REGULAR.—Veness, chairman; Earles, Potts, Ruth, Palmer.

STATE CHARITABLE INSTITUTIONS.—Brown, chairman; Rands, Hammer, Graves, Christian, Hunter, Bronson.

STATE GRANTED, SCHOOL AND TIDE LANDS.—Potts, chairman; Veness, Smith (S. T.), Sharp, Gunn, O'Donnell, Welsh, Earles, Tucker, Watson.

STATE LIBRARY.—Russell, chairman; Kinnear, Henry.

STATE PENAL AND REFORMATORY INSTITUTIONS.—Pauly, chairman; Potts, Wilson, Hammer, Hemrich, Russell, Watson.

COMMITTEE ASSIGNMENTS IN THE SENATE

BAKER, GEO. H.—

Appropriations. (*Chairman.*)
Banks and Banking.
Counties and County Boundaries.
Election and Privileges.
Fisheries.
Insurance.
Rules and Joint Rules.

BOONE, H. M.—

Dairy and Livestock. (*Chairman.*)
Counties and County Boundaries.
Game and Game Fish.
Military.
Public Buildings and Grounds.
Public Morals.
Salaries and Mileage.

BRATT, E. C.—

Public Morals. (*Chairman.*)
Agriculture.
Educational Institutions.
Horticulture and Forestry.
Mines and Mining.
Public Revenue and Taxation.
Roads and Bridges.

BRONSON, W. E.—

Harbor and Harbor Lines. (*Chairman.*)
Cities of the First Class.
Engrossed Bills.
Horticulture and Forestry.
Manufactures.
Mines and Mining.
Public Revenue and Taxation.
State Charitable Institutions.

BROWN, DR. C. G.—

State Charitable Institutions. (*Chairman.*)
Cities of the First Class.
Corporations other than Municipal.
Enrolled Bills.
Mines and Mining.
Printing.
Railroads.
Salaries and Mining.

CHRISTIAN, WALTER—

Cities of the First Class (*Chairman*).
Commerce.
Educational Institutions.
Constitution and Constitutional Revision.
Judiciary.
Roads and Bridges.
State Charitable Institutions.

CLAPP, C. F.—

Corporations other than Municipal (*Chairman*).
Appropriations.
Harbor and Harbor Lines.
Insurance.
Labor and Labor Statistics.
Railroads and Transportation.
Rules and Joint Rules.

CONDON, R. W.—

Commerce (*Chairman.*)
Banks and Banking.
Engrossed Bills.
Fisheries.
Harbor and Harbor Lines.
Labor and Labor Statistics.
Manufactures.
Miscellaneous.

DAVIS, LINCOLN—

Labor and Labor Statistics (*Chairman*).
Fisheries.
Insurance.
Mines and Mining.
Railroads and Transportation.
Rules and Joint Rules.
Salaries and Mileage.

EARLES, JOHN—

Horticulture and Forestry (*Chairman*).
Cities of the First Class.
Education.
Election and Privileges.
Fisheries.
Harbor and Harbor Lines.

Senate Employes other than Regular.
State Granted, School and Tide Lands.

GRAVES, WILL G.—

Constitution and Constitutional Revision (*Chairman*).
Judiciary.
Mines and Mining.
Public Buildings and Grounds.
State Charitable Institutions.

GUNN, ARTHUR *—

Agriculture (*Chairman*).
Counties and County Boundaries.
Educational Institutions.
Horticulture and Forestry.
Irrigation and Arid lands.
State Granted, School and Tide Lands.

HAMMER, EMERSON—

Dikes, Drains and Drainage (*Chairman*).
Appropriations.
Fisheries.
Miscellaneous.
Municipal Corporations.
State Charitable Institutions.
State Penal and Reformatory Institutions.

HEMRICH, ANDREW—

Manufactures (*Chairman*).
Game and Game Fish.
Harbor and Harbor Lines.
Memorials.
Public Buildings and Grounds.
Public Revenue and Taxation.
Roads and Bridges.
State Penal and Reformatory Institutions.

HENRY, WALKER—

Election and Privileges (*Chairman*).
Congressional Districts.
Dairy and Livestock.
Education.
Labor and Labor Statistics.
Military.
State Library.

HUNTER, T. A.—

Educational Institutions (*Chairman*).
Appropriations.
Commerce.
Judiciary.
Miscellaneous.
Municipal Corporations.
Mines and Mining.
State Charitable Institutions.

HUTSON, C. T.—

Irrigation and Arid Lands (*Chairman*).
Insurance.
Constitution and Constitutional Revision.
Counties and County Boundaries.
Engrossed Bills.
Judiciary.
Public Revenue and Taxation.
Railroads and Transportation.

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* Elected to fill unexpired term of J. P. Sharp, deceased.

KENNEDY, GEO. A.—

Enrolled Bills (*Chairman*).
Banks and Banking.
Dairy and Livestock.
Education
Municipal Corporations.
Public Revenue and Taxation.
Roads and Bridges.

KINNEAR, RITCHIE M.—

Miscellaneous (*Chairman*).
Banks and Banking.
Cities of the First Class.
Judiciary.
Military.
State Library.

LECRONE, S. M.—

Education (*Chairman*).
Congressional Districts.
Constitution and Constitutional Revision.
Dikes, Drains and Drainage.
Printing.
Public Morals.

MOORE, WILLIAM HICKMAN—

Memorials (*Chairman*).
Labor and Labor Statistics.
Enrolled Bills.
Fisheries.
Irrigation and Arid Lands.
Judiciary
Constitution and Constitutional Revision.

O'DONNELL, J. B.—

Municipal Corporations (*Chairman*).
Corporations other than Municipal.
Education
Election and Privileges.
Labor and Labor Statistics.
Public Revenue and Taxation.
State Granted, School Land and Tide Lands.

PALMER, E. B.—

Claims and Auditing (*Chairman*),
Game and Game Fish (*Chairman*).
Election and Privileges.
Judiciary.
Public Morals.
Senate Employes other than Regular.

PAULY, FRED M.—

State Penal and Reformatory Institutions (*Chairman*).
Agriculture.
Claims and Auditing.
Counties and County Boundaries.
Dairy and Livestock.
Educational Institutions.
Roads and Bridges.

POGUE, DR J. I.—
Engrossed Bills (*Chairman*).
Agriculture.
Dairy and Livestock.
Horticulture and Forestry.
Irrigation and Arid Lands.
Medicine, Dentistry and Hygiene.
Mines and Mining.
Printing.

POTTS, W G.—
State Granted, School and Tide Lands (*Chairman*).
Cities of the First Class.
Fisheries.
Game and Game Fish.
Printing.
Public Buildings and Grounds.
Senate Employes other than Regular.
State Penal and Reformatory Institutions.

RANDS, E. M —
Claims and Auditing (*Chairman*).
Appropriations.
Congressional Districts.
Corporations other than Municipal.
Game and Game Fish.
Judiciary.
Railroads and Transportation.
State Charitable Institutions.

RASHER, HUBER—
Military (*Chairman*).
Appropriations.
Banks and Banking.
Enrolled Bills.
Insurance.
Memorials.
Public Buildings and Grounds.

REED, WALTER J.—
Counties and County Boundaries (*Chairman*).
Congressional Districts.
Constitution and Constitutional Revision.
Dairy and Livestock.
Irrigation and Arid Lands.
Military.
Municipal Corporations.

RUSSELL, S F.—
State Library (*Chairman*).
Agriculture.
Engrossed Bills.
Judiciary.
Printing.
Railroads and Transportation.
State Penal and Reformatory Institutions.

RUTH, A. S.—

Public Buildings and Grounds (*Chairman*).
Dikes, Drains and Drainage.
Education.
Election and Privileges.
Irrigation and Arid Lands.
Mines and Mining.
State Employes other than Regular.

SHARP, J. P.*—

Agriculture (*Chairman*).
Corporations other than Municipal.
Counties and County Boundaries.
Educational Institutions.
Horticulture and Forestry.
Irrigation and Arid Lands.
State Granted, School and Tide Lands.

SMITH, DR. J. J.—

Congressional Districts (*Chairman*).
Corporations other than Municipal.
Insurance.
Medicine, Dentistry and Hygiene.
Municipal Corporations.
Rules and Joint Rules.

SMITH, S. T.—

Banks and Banking (*Chairman*).
Claims and Auditing.
Corporations other than Municipal.
Manufactures.
Roads and Bridges.
State Granted, School and Tide Lands.

STANSELL, M. E.—

Mines and Mining (*Chairman*).
Agriculture.
Congressional Districts.
Corporations other than Municipal.
Game and Game Fish.
Public Revenue and Taxation.
Railroads and Transportation.
Roads and Bridges.

STEWART, C. L.—

Roads and Bridges (*Chairman*).
Appropriations.
Education.
Game and Game Fish.
Military.
Municipal Corporations.
Public Buildings and Grounds.
Public Morals.

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* Deceased.

SUMNER, T. B.—

Public Revenue and Taxation (*Chairman*).
Appropriations.
Cities of the First Class.
Congressional Districts.
Fisheries.
Railroads and Transportation.

TUCKER, O. A.—

Printing (*Chairman*).
Appropriations.
Claims and Auditing.
Educational Institutions.
Enrolled Bills.
Judiciary.
Public Revenue and Taxation.
State Granted, School and Tide Lands.

VAN DE VANTER, A. T.—

Railroads and Transportation (*Chairman*).
Agriculture.
Counties and County Boundaries.
Dairy and Livestock.
Election and Privileges.
Fisheries.
Salaries and Mileage.

VENESS, J. A.—

Insurance (*Chairman*).
Senate Employes other than Regular (*Chairman*).
Appropriations.
Banks and Banking.
Labor and Labor Statistics.
Public Revenue and Taxation.
Railroads and Transportation.
Roads and Bridges.
State Granted, School and Tide Lands.

WATSON, A. L.—

Salaries and Mileage (*Chairman*).
Fisheries.
Irrigation and Arid Lands.
Miscellaneous.
Municipal Corporations.
State Granted, School and Tide Lands.
State Penal and Reformatory Institutions.

WELSH, JOHN T.—

Fisheries (*Chairman*).
Claims and Auditing.
Corporations other than Municipal.
Judiciary.
Military
Printing.
State Granted, School and Tide Lands.

WILSON, DR. G. B.—

Medicine, Dentistry and Hygiene (*Chairman*).
Appropriations.
Educational Institutions.
Manufactures.
Public Revenue and Taxation.
Railroads and Transportation.
State Penal and Reformatory Institutions.

GROUPING OF STANDING COMMITTEES IN THE SENATE.

GROUP 1: Judiciary. W. V. TANNER, Clerk.
Room No. 14.

GROUP 2: Public Revenue and Taxation.
Congressional Districts.
State Granted, School and Tide Lands. FRANK KENNEDY, Clerk.
Room No. 2.

GROUP 3: Appropriations. J. C. MAC INNES, Clerk.
Room No. 7.

GROUP 4: Education.
Printing.
State Library.
Public Morals. GEORGE RACE, Clerk.
Room No. 8.

GROUP 5: Fisheries.
Dikes, Drains and Drainage.
Cities of the First Class. J. E. DALTON, Clerk.
Room No. 12.

GROUP 6: Railroads and Transportation. G. B. HUNT, Clerk.
Room No. 13.

GROUP 7: Corporations other than Municipal.
Dairy and Livestock.
Salaries and Mileage. JOHN E. DOBBS, Clerk.
Room No. 8.

GROUP 8: Irrigation and Arid Lands.
Agriculture.
Memorials. W. M. OLIVE, Clerk.
Room No. 18.

GROUP 9: Constitution and Constitutional Revision.
Banks and Banking.
Military. J. R. BLAIR, Clerk.
Room No. 11.

GROUP 10: State Penal and Reformatory Institutions.
State Charitable Institutions.
Public Buildings and Grounds. JOHN E. REESE, Clerk.
Room No. 12.

GROUP 11: Manufactures.
Commerce.
Labor and Labor Statistics. THAN KELLY, Clerk.
Room No. 2.

GROUP 12: Harbors and Harbor Lines.
Mines and Mining.
Miscellaneous. H. R. CROSIER, Clerk.
Room No. 6.

GROUP 13: Counties and County Boundaries.
Horticulture and Forestry.
Senate Employes other than Regular. JOSEPH STEINER, Clerk.
Room No. 12.

GROUP 14: Election and Privileges.
Medicine, Dentistry, Surgery and Hygiene.
Roads and Bridges. L. E. WILSON, Clerk.
Room No. 11.

GROUP 15: Claims and Auditing.
Educational Institutions.
Municipal Corporations. W. E. ELWELL, Clerk.
Room No. 11.

GROUP 16: Game and Game Fish.
Insurance. D. B. WESCOTT, Clerk.
Room No. 12.

GROUP 17: Rules and Joint Rules.
Secretary to President. W. H. BENNETT, Clerk.
Room No. 9.

Typewriters and extra duty clerks—GEO. W. TAYLOR, R. A. WATROUS, A. H. HARRIS, and MARVIN ARNOLD.

LIST OF COMMITTEE ROOM ASSIGNMENTS

Name of Committee.	*Chairman.*	*Room No.*	*Group No.*	*Clerk.*
AGRICULTURE	Smith, (S. T.)	11	9	W. M. Olive.
APPROPRIATIONS	Sharp	13	8	J. C. MacInnes.
BANKS AND BANKING	Baker	7	3	J. R. Blair.
CITIES OF THE FIRST CLASS	Christian	12	5	J. E. Dalton.
CLAIMS AND AUDITING	Palmer	11	15	W. E. Elwell.
COMMERCE	Condon	2	11	Than. Kelly.
CONGRESSIONAL DISTRICTS	Smith (Dr. J. J.)	2	2	Frank Kennedy.
CONSTITUTION AND CONSTITUTIONAL REVISION	Graves	11	9	J. R. Blair.
CORPORATIONS OTHER THAN MUNICIPAL	Clapp	8	7	John E. Dobbs.
COUNTIES AND COUNTY BOUNDARIES	Reed	12	13	Jos. Steiner.
DAIRY AND LIVESTOCK	Boone	8	7	John E. Dobbs.
DIKES, DRAINS AND DRAINAGE	Hammer	12	5	J. E. Dalton.
EDUCATION	Le Crone	8	4	Geo. Race.
EDUCATIONAL INSTITUTIONS	Hunter	11	15	W. E. Elwell.
ELECTIONS AND PRIVILEGES	Henry	11	14	I. E. Wilson.
ENGROSSED BILLS	Pogue	10		Louie D. Todd.
ENROLLED BILLS	Kennedy	10		Frank A. Hall.
FISHERIES	Welsh	12	5	J. E. Dalton.
GAME AND GAME FISH	Palmer	12	16	D. B. Wescott.
HARBOR AND HARBOR LINES	Bronson	6	12	H. R. Crozier.
HORTICULTURE AND FORESTRY	Earles	12	13	Jos. Steiner.
INSURANCE	Veness	12	16	D. B. Wescott.
IRRIGATION AND ARID LANDS	Hutson	13	8	W. M. Olive.
JUDICIARY	Rands	14	1	W. V. Tanner.

COMMITTEE CLERKS.

Names.	*Title.*	*Residence.*	*Per Diem.*
W. V. TANNER	Group 1	Olympia	$7.50
FRANK KENNEDY	Group 2	Seattle	4.00
J. C. MACINNES	Group 3	Goldendale	5.00
GEO. RACE	Group 4	Tacoma	4.00
J. E. DALTON	Group 5	Chinook	4.00
G. B. HUNT	Group 6	Spokane	4.00
JOHN E. DOBBS	Group 7	Port Townsend	4.00
W. M. OLIVE	Group 8	Wenatchee	4.00
J. R. BLAIR	Group 9	Elma	4.00
JOHN E. REESE	Group 10	Bonaparte	4.00
THAN KELLY	Group 11	Odessa	4.00
H. R. CROZIER	Group 12	Colville	4.00
JOSEPH STEINER	Group 13	North Yakima	4.00
I. E. WILSON	Group 14	Pullman	4.00
W. E. ELWELL	Group 15	Kelso	4.00
W. H. BENNETT	Group 16	Seattle	5.00
GEORGE W. TAYLOR	Committee Clerk	Curtis	4.00
MARVIN ARNOLD	Committee Clerk	Spokane	4.00
R. A. WATROUS	Committee Clerk	Dayton	4.00
A. H. HARRIS	Committee Clerk	Walla Walla	4.00
D. B. WESCOTT	Committee Clerk	Seattle	4.00

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JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

REGULAR SESSION OF 1905.

COMMITTEE OF CONFERENCE AND FREE CONFERENCE.

RULE 1. In every case of an amendment of a bill, or joint or concurrent resolution, agreed to in one house, dissented from in the other and not receded from by the one making the same, such house shall appoint a committee to confer with a like committee to be appointed by the other, and the committee so appointed shall meet at a convenient hour, to be agreed upon by their respective chairmen, and shall confer upon the differences between the two houses as indicated by the amendment made in one and rejected in the other, and report as early as convenient the result of their conference to their respective houses. If after such a report the two houses shall disagree upon the recommendations of the reporting committees as to their differences between the two houses, a committee of free conference shall be appointed to whom the whole subject matter embraced in the bill or resolution shall be committed, and the committee of free conference may report by new bill or resolution, or otherwise, and bills or resolutions so reported shall be treated as amendments, unless such bills or resolutions are comprised entirely of original matter, in which case they shall receive the treatment required in the respective houses for original bills or resolutions, as the case may be.

MESSAGES.

RULE 2. Messages from the Senate to the House of Representatives shall be delivered by the secretary or assistant secretary, and messages from the House of Representatives to the Senate shall be delivered by the chief clerk or assistant clerk who shall be announced by the doorkeeper, enter within the bar, announce or deliver his message.

BILLS.

RULE 3. Each house shall communicate its final action on any bill, or resolution, or matter in which the other may be entrusted, in writing, signed by the secretary or clerk of the house from which such notice is sent.

RULE 4. After a bill shall have passed both houses, it shall be duly enrolled by the enrolling clerk of the house in which it originated, and shall be examined by the enrolling committee of such house, who shall carefully compare the enrollment with the engrossed bill, as passed, correcting any errors that may be discovered in the enrolled bill, procure in open session the signature thereto of the necessary officers of the two houses, present the same to the Governor, and forthwith report to such house the time when such presentation to the Governor was made. The enrolling clerk shall endorse upon the back of each bill the house in which said bill originated.

RULE 5. All joint resolutions to be presented to the Governor, excepting such as may be addressed to him, shall take the usual course of bills.

RULE 6. Each house shall transmit to the other papers on which any bill or resolution may be founded.

PRINTING.

RULE 7. The standing committees on printing of the two houses shall be a joint standing committee, who shall examine all matters proposed to be printed by concurrent order, and shall report what part of such matter is needful to print. Each house may order the printing of bills introduced, reports of its own committees, and other matters pertaining to such house only; but no other printing shall be ordered except by a concurrent resolution passed by both houses. It shall be the duty of the secretary of the Senate and the clerk of the House to compare the bills introduced in each house and such bills as are introduced in both houses and are of the same wording shall only be printed in one house.

RESOLUTIONS.

RULE 8. Joint resolutions and memorials addressed to congress, or either house thereof, or to the president of the United States, or the head of any of the national departments, or proposing amendments to the State constitution, shall be treated in all respects as bills.

VETOES.

RULE 9. Bills which have passed a previous Legislature, and which are transmitted to the Legislature next sitting, accompanied by a message or statement of the Governor's disapproval, or veto of the same, shall become the subject of a special order; and when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disapproved or vetoed, and the message and bill shall be read by the clerk without interruption, consecutively, one following the other, and not upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and cus-

tom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the speaker is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, any time, to vote upon such vetoed bill without the same shall have first been read, from the first word of its title to and including the last word of its final section; and no motion shall be entertained after the chair has stated the question save a motion for the "previous question," but the merits of the bill itself may be debated.

RULE 10. That the Senate bills in the House, and House bills in the Senate be the special order on Wednesday of each week during the session.

RULE 11. All amendatory acts shall refer to the title of the act amended in full and date of approval. Committees shall amend or substitute all titles to conform to this rule.

RULES OF THE SENATE.

SESSION OF 1905.

RULE 1. The president shall call the Senate to order each day of sitting at 10 o'clock a. m., unless the Senate shall have adjourned to some other hour.

RULE 2. A majority of all members elected to the Senate shall be necessary to constitute a quorum to do business: *Provided*, That less than a quorum may adjourn from day to day until a quorum can be had.

RULE. 3. The president shall take the chair and call the Senate to order precisely at the hour appointed for meeting, and, if a quorum be present, shall cause the journal of the preceding day to be read. He shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber, shall order the sergeant-at-arms to suppress the same, and may order the arrest of any person creating any disturbance within the Senate chamber. He may speak to points of order in preference to members, arising from his seat for that purpose, and shall decide all questions of order without debate, subject to an appeal to the Senate by any three members, on which appeal no member shall speak more than once without leave of the Senate. He shall have charge of and see that all officers, attaches and clerks perform their respective duties, and shall, in open session, sign all acts, addresses and joint resolutions. He shall sign all writs, warrants and subpoenas issued by order of the Senate; all of which shall be attested by the secretary. He shall have general control of the Senate chamber and lobby, and have the right to name any senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any document requiring the signature of the president.

RULE 4. Upon the organization of the Senate the members shall select one of their number as president *pro tem*, who shall have all the power and authority, and who shall discharge all the duties of the president during his absence or inability to discharge the duties of his office.

RULE 5. The subordinate officers of the Senate shall perform such duties as usually pertain to their respective positions in legislative bodies, under the direction of the president, and such other duties as the Senate may impose upon them. The compensation of any employe of the Senate shall not be increased except by a two-thirds vote of all members of the Senate, and the names of all members voting thereon

shall be entered in the journal. Under no circumstances shall the compensation of an employe be increased for past services.

RULE 6. The president shall appoint all special, joint, and the following standing committees on the part of the Senate:

	Committee.	*No. of Members.*
1.	Agriculture	7
2.	Appropriations	11
3.	Banks and Banking	7
4.	Cities of the First Class	7
5.	Claims and Auditing	5
6.	Commerce	3
7.	Constitution and Constitutional Revision	7
8.	Corporations other than Municipal	9
9.	Counties and County Boundaries	7
10.	Dairy and Live Stock	5
11.	Dikes, Drains and Drainage	3
12.	Education	7
13.	Educational Institutions	7
14.	Elections and Privileges	5
15.	Engrossed Bills	5
16.	Enrolled Bills	5
17.	Fisheries	9
18.	Game and Game Fish	7
19.	Harbor and Harbor Lines	5
20.	Horticulture and Forestry	5
21.	Insurance	7
22.	Irrigation and Arid Lands	7
23.	Judiciary	11
24.	Labor and Labor Statistics	7
25.	Manufactures	5
26.	Medicine, Dentistry, Surgery and Hygiene	3
27.	Memorials	3
28.	Military	7
29.	Mines and Mining	9
30.	Miscellaneous	5
31.	Municipal Corporations	5
32.	Printing	7
33.	Public Buildings and Grounds	7
34.	Public Morals	7
35.	Public Revenue and Taxation	11
36.	Roads and Bridges	9
37.	Rules and Joint Rules	5
38.	Salaries and Mileage	5
39.	State Granted, School and Tide Lands	9
40.	State Library	3

41. State Penal and Reformatory Institutions..... 7
42. State Charitable Institutions..... 7
43. State Employes other than Regular..... 5
44. Railroads and Transportation.....11
42. Congressional Districts 7

RULE 7. When a motion is made to refer to any subject, and different committees are proposed, the question shall be taken in the following order:

First. The Committee of the Whole Senate.
Second. A Standing Committee.
Third. A Select Committee.

RULE 8. The several committees shall fully consider all measures referred to them, and the Committee on Claims and Auditing shall carefully consider all items of expenditure ordered or contracted on the part of the Senate or any of its employes, and report upon the same prior to the voucher being signed by the president and secretary of the Senate authorizing the payment thereof.

The committees shall acquaint themselves with the interests of the State specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the State.

The Committee on Rules and Joint Rules shall have charge of the daily calendar of the Senate and shall direct the secretary the order in which the business of the Senate shall be transacted.

No committee shall sit during the daily session of the Senate unless by special leave.

RULE 9. All reports of committees shall be signed by such members thereof as concur therein, or by the chairman for such concurring members, naming them, and the report, with the names by or for whom the same is signed, shall be read by the secretary, or at the secretary's desk by the member making the report, without a motion, unless the reading be dispensed with by the Senate. The members of the committee not concurring in the majority report may prepare a written minority report, sign and present the same to the Senate, and both majority and minority reports shall in all cases be spread in full upon the journal.

RULE 10. No person other than the regular officers of the Senate shall be employed by the Senate, or any committee thereof, except by consent of the Senate having been previously obtained by resolution, which resolution shall be referred to the Committee on Senate Employes other than Regular, and reported upon by that committee before action is taken thereon.

The regular employes or officers of the Senate shall be as follows:

Secretary.
Assistant Secretary.
Sergeant-at-arms.
Assistant Sergeant-at-arms.

Doorkeeper.
Assistant Doorkeeper.
Minute Clerk.
Journal Clerk.
Assistant Journal Clerk.
Docket Clerk.
Enrolling Clerk.
Assistant Enrolling Clerk.
Engrossing Clerk.
Assistant Engrossing Clerk.
Bill Clerk.
Assistant Bill Clerk.
Postmaster.
Assistant Postmaster.
Two Stenographers.
Two Pages.
President's Page.
Janitor.
Night Watchman.

The minute clerk, journal clerk, docket clerk, enrolling clerk, engrossing clerk, stenographers and their assistants and committee clerks shall report to the secretary or assistant secretary of the Senate in answer to a roll call thirty minutes before the convening of the Senate each day and shall be subject to assignment by him. All other employes shall report to the sergeant-at-arms or the assistant sergeant-at-arms for roll call thirty minutes before the opening of each session.

All committee clerks shall report to the chairmen of their respective committee at the opening of the session each day and shall be subject to the orders of such chairman.

All Senate employes shall remain on duty daily during the hours designated by the secretary and sergeant-at-arms, respectively. Failure to comply with this requirement will work a forfeiture of one day's salary in each case of delinquency on being reported to the president of the Senate.

RULE 11. In forming the committee of the whole, the president shall name a chairman to preside, and all bills considered; but the committee may limit the number of times that any amendments and debates thereon at the conclusion of the reading of each section. The body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the secretary on a separate paper as the same shall be agreed to by the committee, and so reported to the Senate for action.

RULE 12. The rules of the Senate shall apply to proceedings in committee of the whole, except that the previous question shall not be ordered, nor the ayes and noes demanded; but the committee may limit

the number of times that any member may speak at any stage of the proceedings during its sitting.

RULE 13. Messages may be received by the president while the committee of the whole is sitting; in which case the president will resume the chair, receive the message, and vacate the chair in favor of the chairman of the committee.

RULE 14. A motion that the committee of the whole rise shall always be in order, and shall be decided without debate.

RULE 15. The Senate may at any time, by a vote of the majority of the members present, suspend the rules and orders of the Senate for the purpose of going into the committee of the whole for the consideration of any bill, memorial or resolution before the Senate.

RULE 16. The committees on enrolled and engrossed bills may report at any time during the sitting of the Senate, except when the Senate is sitting in committee of the whole.

RULE 17. After the roll is called and journal read and approved, business shall be disposed of in the following order:

First. Presentation of petitions, memorials, resolutions and motions.
Second. Reports of standing committees.
Third. Reports of select committees.
Fourth. Messages from the Governor and other state officers.
Fifth. Messages from the House of Representatives.
Sixth. Introduction and first reading of bills.
Seventh. Second reading and reference of bills.
Eighth. Business on general file and third reading of bills.
Ninth. Business lying on the table.
Tenth. The orders of the day.
Eleventh. Unfinished business.

RULE 18. The president shall, on each day, announce to the Senate the business in order, agreeable to the preceding rule, and no business shall be taken up or considered until the class to which it belongs shall be declared in order.

RULE 19. The unfinished business at the preceding adjournment shall have the preference in the orders of the day, excepting special orders, and no motion or any other business shall be received without special leave of the Senate until the former is disposed of.

RULE 20. Every bill shall receive three readings previous to its passage. The president shall give notice at each, whether it be the first, second or third reading. The first and second readings may, by consent of a majority of the Senate, be on the same day. The third reading of every bill shall be by sections, and upon its final passage the vote must be taken by yeas and nays, the names of the senators voting for and against the same to be entered upon the journal, and the majority of the members elected to the Senate must be recorded thereon as voting in its favor to secure its passage by the Senate.

RULE 21. All bills that have passed a second reading which have not been referred, and all bills reported by committees after the second reading, shall be placed on the general file, and shall be considered in the order in which they became entitled to a position on the file, unless otherwise specially ordered by a two-thirds vote of the Senate.

RULE 22. Engrossed bills shall be placed at the head of the general file in the order in which they are reported engrossed (except general appropriation bills, which shall be placed at the head of the general file).

RULE 23. A bill may be committed with special instructions to amend at any time before taking the final vote.

RULE 24. No bill shall embrace more than one subject, and that shall be expressed in a title.

RULE 25. No bill shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

RULE 26. No bill shall be considered in the Senate unless the time of its introduction shall have been at least ten days before the final adjournment of the Senate, unless the Senate shall otherwise direct by a vote of two-thirds of all the members elected thereto, said vote to be taken by yeas and nays, and entered upon the journal, or unless the same be at a special session.

RULE 27. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

RULE 28. On the second day next succeeding the final vote on any bill, said vote may be reconsidered on motion of any member, provided notice of intention to move a reconsideration was given on the day or on the next succeeding day such final vote was taken by a senator who voted on that side which prevailed, and no motion to reconsider shall be in order on the day such final vote is taken, except by unanimous consent. A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the Senate adjourns while a motion to reconsider is pending or before passing the order of motions, resolutions and notices, the right to move a reconsideration shall continue to the next day of sitting. No notice of reconsideration of any final vote shall be in order on the day preceding the last day of the session. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

RULE 29. Bills appropriating money shall be considered in committee of the whole Senate, and no change in the amount appropriated shall be made outside of the committee of the whole.

RULE 30. Unless otherwise ordered, 350 copies of all bills of a general nature originating in the Senate shall be printed for the use of the Senate and House of Representatives, and such other bills and matter shall be printed as may be ordered by the Senate.

RULE 31. The president shall call the Senate to order at the hour

fixed for the consideration of a special order, and announce that the special order is before the Senate, which shall then be considered unless it is postponed by a two-thirds vote, and any business before the Senate at the time of the announcement of the special order shall take its regular position in the order of business.

RULE 32. All bills introduced in the Senate, which are intended to amend existing statutes, shall have the words which are amendatory to such existing statute underlined or underscored, so that in the printed bills which are presented for the perusal of the members, such new or amendatory matter shall be easily discerned.

RULE 33. Joint resolutions and memorials addressed to congress, or either house thereof, or to the president of the United States, or the heads of any of the national departments, or proposing amendments to the State Constitution, shall be subject in all respects to the foregoing rules governing the course of bills.

RULE 34. Resolutions other than those referred to in rule 33, shall be treated as motions in all proceedings of the Senate.

RULE 35. No motion shall be entertained until it shall be seconded, nor debated until announced by the president. It shall be reduced to writing and read by the secretary, if desired by the president or any senator, before it shall be debated, and by consent of the Senate may be withdrawn before amendment or action.

RULE 36. A motion to adjourn shall always be in order. The name of the senator moving to adjourn, and the time when the motion was made, shall be entered on the journal.

RULE 37. When a question is under debate, no motion shall be received but the following, which shall have precedence in the order named:

First.	To fix the time to which to adjourn.
Second.	To adjourn.
Third.	For a call of the Senate.
Fourth.	To lay on table.
Fifth.	For the previous question.
Sixth.	To postpone to a day certain.
Seventh.	To commit.
Eighth.	To amend.
Ninth.	To postpone indefinitely.

The second, third, fourth and fifth motions shall be decided without debate, and no motion to postpone to a day certain, to commit, or postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session, except this rule be suspended by a two-thirds vote, and there shall be no reconsideration of a vote on a motion to postponed indefinitely.

RULE 38. A motion to strike out the enacting clause of a bill or

resolution shall have precedence of a motion to commit, or amend, and, if carried, shall be equivalent to its rejection.

RULE 39. Any senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the Senate; but a motion to strike out and insert shall not be divided.

RULE 40. The previous question shall not be put unless demanded by three senators, whose names shall be entered upon the journal, and it shall then be in this form: "Shall the main question be now put?" When sustained by a majority of senators present it shall preclude all debate, and the roll shall be immediately called on the question or questions before the Senate, and all incidental question or questions of order arising after the motion is made after the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

RULE 41. All questions relating to the priority of business shall be decided without debate.

RULE 42. The passage of a bill or action on a question is lost by a tie vote, but when a vote of the Senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote.

RULE 43. The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the Senate shall vote unless excused by the unanimous vote of the Senate, and the votes shall be entered upon the journal, and the names of senators demanding the yeas and nays shall also be entered upon the journal.

RULE 44. In filling blanks the largest sum and longest time shall be first put.

RULE 45. Where the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the Senate, and without debate.

RULE 46. Messages from the Governor, other state officers, and from the Assembly may be considered at any time by consent of the Senate.

RULE 47. When any senator is about to speak in debate, or submit any matter to the Senate, he shall rise from his seat, and standing in his place, respectfully address himself to "Mr. President," and when recognized shall, in a courteous manner, confine himself to the question under debate, avoiding personalities, and when finished, shall resume his seat. No senator shall imepach the motives of any other member, nor speak more than twice (except for explanation) during the consideration of any one question, on the same day, nor a second time without leave, when others who have not spoken desire the floor; but incidental and subsidiary questions arising during the debate shall not be considered the same question.

RULE 48. If any senator in speaking, or otherwise, transgress the rules of the Senate, the president shall, or any senator may call him to

order, and when a senator shall be so called to order he shall resume his seat and not proceed without leave of the Senate, which leave, if granted, shall be upon motion "that he be allowed to proceed in order," when, if carried, he shall confine himself to the question under consideration.

RULE 49. Every decision of points of order by the president shall be subject to appeal, and no discussion of a question of order shall be allowed except on appeal of three senators, and in all cases of appeal the question shall be "Shall the decision of the chair stand as the judgment of the Senate?"

RULE 50. In cases of breaches of decorum or propriety, any senator, officer or other person shall be liable to such censure or punishment as the Senate may deem proper, and if any senator be called to order for offensive or indecorous language or conduct, the person calling him to order shall report the language excepted to, which shall be taken down or noted at the secretary's desk, and no member shall be held to answer for any language used on the floor of the Senate, if business has intervened before exception to the language was thus taken and noted.

RULE 51. When two or more senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration.

RULE 52. The author of a bill, motion or resolution shall have the privilege of opening and closing debate upon the same, unless the previous question has been moved and sustained.

RULE 53. Any senator or senators may protest against the action of the Senate upon any question, and have such protest entered upon the journal.

RULE 54. Any senator may rise to a question of privilege and explain a matter personal to himself by leave of the president, but he shall not discuss any pending question in such explanation.

RULE 55. No senator shall absent himself from the service of the Senate without leave, except in case of accident or sickness, and if any senator or officer shall absent himself, his per diem shall not be allowed or paid him, and no senator, officer or attache shall obtain leave of absence or be excused from attendance without consent of two-thirds of the members present.

RULE 56. A call of the Senate may be moved by three senators, whose names shall be entered upon the journals, and if carried by a majority of all present the secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called. The doors shall then be closed and the sergeant-at-arms directed to take into custody all who may be absent without leave, and all the senators so taken into custody shall be presented at the bar of the Senate for such action as the Senate may deem proper.

RULE 57. A senator having been absent during roll call may ask to have his name called.

RULE 58. In all cases of election by the Senate the votes shall be taken *viva voce*, and no senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the Senate, nor upon any question in which he is in any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the yeas and nays are being called, nor change his vote after the result has been announced.

RULE 59. The announcement of all votes shall be made by the president, and the announcement of the result of any vote shall not be postponed.

RULE 60. Witnesses summoned by or on behalf of the Senate to appear before the Senate, or any of its committees, shall be paid for each day's attendance three dollars. For each mile traveled in coming to the place of examination, ten cents; and nothing shall be paid for travel where the witness was served at the place of examination, and no mileage shall be paid except where the witness actually traveled for the purpose of giving testimony.

RULE 61. The Senate chamber shall not be used for any but legislative business during the session, except by permission of the Senate given by a two-thirds vote.

RULE 62. The following classes of persons shall be entitled to admission to the floor of the Senate during the sessions thereof, viz.:

1. The Governor and the speaker of the House of Representatives.

2. The members of the House of Representatives.

3. The state officers.

4. Persons in the exercise of official duty directly connected with the business of the Senate.

5. Representatives of the press as provided in the next rule.

6. The following persons upon the presentation of a card of admission to be signed by the president: (a) deputy state officers; (b) such persons as hold limited cards, which cards shall be taken up by the doorkeepers upon the expiration of the time for which they were issued.

RULE 63 The president shall designate the persons who are enttiled to admission as duly accredited representatives of the press, and such persons shall be entitled to such seats as the president shall designate, and shall have the right to pass to and fro from said seats in entering or leaving the Senate chamber.

RULE 64. The gallery back of the president's desk is reserved for the use of the Governor and state officers and their families, for the families of senators, and for members of the House of Representatives and their families.

RULE 65. Smoking shall not be allowed in the Senate chamber dur-

ing the session of the Senate, nor shall indecorous conduct, boisterous or unbecoming language be permitted there at any time.

RULE 66. The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this Senate and the joint rules of this Senate and House of Representatives.

RULE 67. No standing rule or order of this Senate shall be rescinded or changed without a vote of two-thirds of the members, and one day's notice of the motion therefor; but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called, and after due notice from the president, no objection is offered, he may announce the rule suspended, and the Senate may proceed accordingly; but this shall not apply to that portion of Rule 20 relating to the third reading of bills, which cannot be suspended.

SENATORIAL BALLOTING, SESSION 1905.

INFORMAL AND JOINT BALLOTS.

CANDIDATES—	Inf.	1	2	3	4	5	6	7	8	9	10	11	12	13
Addison G. Foster	44	44	44	44	46	44	29	40	43	45	46	47	48	2
Samuel H. Piles	33	33	33	33	33	34	24	29	31	31	30	30	30	125
Charles Sweeny	27	27	26	26	27	27	24	28	28	28	28	28	28	..
John L. Wilson	15	15	16	16	16	17	14	16	17	17	16	16	16	..
Wsley L. Jones	4	4	8	8	7	7	7	7	7	7	7	7	7	..
S. G. Cosgrove	5	5	..	..	..	..	..	..	..	..	..	..	..	..
George Turner	8	7	..	..	..	..	..	..	..	..	..	..	6	6
Wm. Hickman Moore	..	..	..	..	..	..	..	5	..	..	..	..	..	..
Alden J. Blethen	..	..	7	..	..	..	..	..	..	..	..	..	..	..
Will G. Graves	..	..	..	..	..	..	..	1	6	4	..	..	..	..
F. P. Hogan	..	..	..	..	..	..	..	..	..	..	6	5	..	..
M. M. Godman	..	..	..	7	5	5	..	..	..	..	..	..	..	..
Charles S. Voorhees	..	..	..	..	..	..	7	..	..	..	..	..	..	..

INDEX.

TITLE AND HISTORY

OF

SENATE AND HOUSE BILLS, RESOLUTIONS, MEMORIALS, ETC.

AND

PERSONAL AND SUBJECT INDEXES.

TITLE AND HISTORY OF SENATE BILLS.

NUMBER, AUTHOR AND TITLE	Read first and second time and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
1. Senator STANSELL: An act regulating common carriers, fixing the maximum railroad passenger rates in the State of Washington, and providing for the due enforcement and observance of the rates so fixed	29	298	298	679	298	613	685	705	.....
2. Senator TUCKER: An act relating to divorce, amending sections 5716, 5718 and 5730 of Ballinger's Annotated Codes and Statutes of Washington, and repealing sections 5724, 5725 and 5726 of said codes and statutes	29	375	476	404	476	678	.....	.....	.....
3. Senator TUCKER: An act prohibiting the sale of milk in which formaldehyde or other poisonous substances shall have been mixed as an ingredient; declaring the same a felony; providing a penalty therefor; and requiring the state dairy and food commissioner, attorney general and prosecuting attorneys to enforce the provisions hereof	29	191	198	466 488	198	410	507	516	589
4. Senator TUCKER: An act authorizing the incorporation of fire department relief associations in cities and towns of this State; to provide a firemen's pension fund for the pensioning of disabled firemen, and the widows and minor children of deceased firemen; to create a board of trustees of such fund; to appropriate monies for the maintenance thereof out of the sums now required to be paid into the state treasury by fire insurance companies under section 5651 of Pierce's Code; requiring fire insurance companies to make further detailed reports as a basis for such appropriation and for other purposes connected with fire department relief associations	30	178	198	186 190 220 710 715 716	222	653	.....	.....	.....

5. SENATOR TUCKER: An act repealing chapter LIX, Session Laws of 1899, same being an act entitled "An act relating to the law of libel and providing for opportunity of retraction of libels," and declaring an emergency	30	.....	110	127	111	118	127	127	135
6. Senator WILSON: An act creating two certain funds in the state treasury: one to be known as "The current fund of the agricultural college and school of science"; and the other to be known as "The normal school current fund"	30	179	182	186, 440, 457	182	411	453	458	479
7. SENATOR BOONE: An act to establish a railroad and transportation commission for the State of Washington, whereby discrimination and extortion in railroad charges may be prevented, and reasonable freight and passenger services and tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the commission and the railroads and afford railroad companies and other parties adequate remedies; to prescribe penalties for the violation of this act, and to provide means and rules for its enforcement	30	519	.....	125	.....	.....	.....	.....	.....
8. SENATOR POTTS: An act providing for a State wagon road beginning at the point where the present wagon road running northerly from Leavenworth to Lake Wenatchee in Chelan county, crosses the northern boundary of the northwest quarter of section 5 township 26 north of range 18 east, W. M.; running thence in a northerly direction up the valley of the Chiwah river; thence by the most feasible and practicable route over the summit of the Cascade mountains to the headwaters of the Suiattle river; thence down and along the valley of said Suiattle river, by the most practicable route, to the junction of the public road running northerly from Darrington, in Snohomish county, along the Suak river to Marble Mount	31	270	.....	.....	.....	.....	.....	.....	.....
9. SENATOR POTTS: An act making the drawing, or uttering, of a bank check or draft for the payment of money, without funds or credit to meet the same upon presentation, a felony, and prescribing a penalty therefor, and declaring an emergency	31	116	129	125, 200, 466, 487	129	410	507	516	540
10. SENATOR POTTS: An act providing for the appointment in all cities of the first class of a "Sealer of Weights and Measures," defining his duties and prescribing penalties and punishments for violation of its provisions	31	146	.....	.....	.....	.....	.....	.....	.....
11. SENATOR POTTS: An act establishing the office of public administrator, and defining the powers and duties of such officer	31	300	.....	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time and referred	Report of Committee	Third reading and amendments	Other action in Senate	Vote on final passage	Report from House	Signed by President of Senate	Signed by Speaker of House	Approved and signed by the Governor
12. SENATOR TUCKER: An act providing for six judges of the superior court of the State of Washington in and for King county, and fixing the term of office of the additional judge appointed, and providing for the election of a judge at the state election in November, 1906, and providing for the election of six judges at the general state election in November, 1908, and every four years thereafter, and declaring an emergency	31	116	130	{130 / 221}	130	211	222	222	226
13. SENATOR RUSSELL: An act in relation to estrays, prescribing penalties for the violation thereof	31	266	....	.....	.....	.....	.....	.....	.....
14. SENATOR REED: An act to establish a railroad commission for the State of Washington, whereby discrimination and extortion in railroad and express charges may be prevented and reasonable and just freight and passenger service and tariff may be established; to authorize the commission to make all necessary rules and regulations for its government, and the carrying into effect of the provisions of this act. To give to said commission the power to regulate the sale of railroad tickets; to prescribe penalties for the violation of this act, and to provide means and rules for its proper enforcement	32	549	.....	166	.....	.....	.....	.....	.....
15. SENATOR RANDS: An act to provide for the collection, exhibition and maintenance of the products of the State of Washington at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, 1905, at Portland, Oregon, making an appropriation therefor and repealing chapter one hundred and eighty-nine (189) of the Session Laws of 1903	32	127	137	{134 / 137 / 157 / 161}	187	149	161	163	170

16. SENATOR PAULY: An act authorizing cities to fix and determine by ordinance the price to be charged for water, gas, electric light, electric power, the use of telephones and for street car fares, and to prescribe penalties for the violation of such ordinances, and authorizing the bringing of civil actions to enforce such ordinances, or to construe them or determine their validity, and declaring an emergency	32	146, 179, 378	190	166, 186, 190					
17. SENATOR PAULY: An act regulating the hours of labor of conductors, engineers, motormen, firemen and brakemen, and providing penalties for working overtime or for employing, directing, commanding, requesting, causing or permitting others to work overtime, and declaring an emergency	32								
18. SENATOR WELSH: An act providing for the amendment of Section 16 of Article one (1) of the Constitution of the State of Washington, relating to the exercise of the power of eminent domain and private ways of necessity	32								
19. Senator HUTSON: An act providing for and selecting jurors in the superior courts of the State, appointment of jury commissioners, their removal, qualifications and compensation (to amend section 15 of an act approved March 16, 1901)	43	154, 464	164	161, 348, 363, 464, 481	165	337	366	382	
20. SENATOR RUSSELL: An act to provide for the marking and labeling of the vial, box, can, or parcel containing any explosive substance sold within this State, and providing a penalty for the violation thereof	43	147	157	558, 644, 678	157	522	685	706	725
21. Senator CONDON: An act relating to the superior court of Snohomish and Kitsap counties, providing for the election of judges therein and providing for the appointment of a judge for Kitsap county and declaring an emergency	43	117, 327	130, 369	126, 370, 439	369	456	437	437	456
22. SENATOR STANSELL: An act creating the office of state oil inspector, providing for his compensation, and providing for the inspection of petroleum and its products, used for illumination purposes, and providing a penalty for the violation thereof	43	473		489, 625, 697					
23. Senator STANSELL: An act providing for the amendment of section thirty-three (33) of article two (2) of the Constitution of the State of Washington, relating to the prohibition of the ownership of lands in the State of Washington by aliens	44	446	563	475	563	710			

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE		Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
24.	Senator STANSELL: An act providing for the appointment and election of a judge of the superior court of the State of Washington in and for the counties of Stevens and Ferry, jointly; and providing for the election of three judges of the said superior court in and for the county of Spokane; and providing for the election of one judge of said superior court in and for the counties of Chelan, Douglas and Okanogan, jointly, and specifying the counties of said State over which the present judge of said superior court in and for the counties of Cheland, Douglas, Okanogan and Ferry, jointly, shall preside; and specifying the county of said State over which the present judge of said superior court in and for the counties of Spokane and Stevens, jointly, shall preside; and fixing the term of office of the judge appointed; and declaring an emergency.....	44	235	236	247 315 326	236	308	325	337	348
25.	SENATOR BAKER: An act appropriating $80,000 to defray expenses of the Ninth Legislature.....	44	44	44	.....	44	73	74	90	106
26.	Senator HUTSON: An act relating to liens for labor performed, materials, provisions and supplies furnished, and amending sections 1 and 2 of an act entitled "An act creating and providing for the enforcement of liens for labor and material," approved February 21, 1893, being sections 5900 and 5901 of Ballinger's Annotated Codes and Statutes of Washington.....	75	202 237	241 273	248 670	244 273	648	685	705	
27.	SENATOR VENESS: An act to amend an act entitled, "An act to amend Section 11 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the State's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States, creating a board of appraisers and a board of harbor line commissioners as required by Articles XV and XVI of the State Constitution, which shall be generally known as the board of state land commissioners; defining their duties and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897," approved March 12, 1903...	75	163	165	172	.....	.....	.....	.....	.....

28. SENATOR HENRY: An act making an appropriation for the collection, exhibition and maintenance of the products of the State of Washington at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, 1905, Portland, Oregon, and for the expenses of the Lewis and Clark exposition committee of the State of Washington	75								
29. SENATOR HENRY: An act amending sections two (2), three (3), six (6) and seven (7), and repealing section eleven (11) of an act of the Legislature of the State of Washington, approved March 21, 1903, entitled "An act to provide for the collection, exhibition and maintenance of the products of the State of Washington at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, 1905, at Portland, Oregon, and making an appropriation therefor," and declaring an emergency	75								
30. SENATOR HENRY: An act to regulate the practice of dentistry in the State of Washington and to provide for the penalty for the violation of the provisions thereof, repealing an act relating to the practice of dentistry, entitled "An act to regulate the practice of dentistry in the State of Washington, and declaring an emergency," approved March 8, 1893, and the act amendatory thereof, entitled "An act to amend sections 4, 6, 8 and 11 of chapter 55 of the Session Laws of 1893, and to prohibit the practice of dentistry by persons not duly registered and licensed, and to provide for the punishment of violators thereof, and declaring an emergency," approved March 18, 1901	75								
31. Senator RANDS: An act providing for the introduction of testimony in a former trial, action or proceeding	76	154	165	{161 / 363}	165	338	366	382	
32. Senator WELSH: An act in relation to the recovery of damages for the death of a person, caused by the wrongful act or neglect of another	76	203	210		210				
33. SENATOR REED: An act relating to the waters of the State and riparian and other rights thereto and the use thereof, providing for the development and regulation of irrigation, and other beneficial uses of water, providing for co-operation with the United States government in relation to irrigation, granting to the United States government certain rights in State lands, in the waters of the State, and in the beds and shores of navigable waters, imposing certain conditions upon the sale of State lands, granting the right of eminent domain for the storage and conveyance of waters, making certain violations of the provisions of this act misdemeanors and providing penalties therefor, making appropriations for the purposes of the act, and repealing certain previous acts	76	442							

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
34. SENATOR RUSSELL: An act to amend section 6623 of Ballinger's Annotated Codes and Statutes, the same being section 1772 of the Code of 1881, and section 1521, 2 Hill's Code.....	76	.....	.....	.....	.....	.....	.....	.....	.....
35. SENATOR CLAPP: A bill for an act to amend section 105 of Hill's General Statutes and Codes of the State of Washington, being section 155 of Ballinger's Annotated Codes and Statutes.....	76	519	.....	.....	.....	.....	.....	.....	.....
36. Senator CHRISTIAN: An act authorizing and empowering any corporation to subscribe for, and to acquire by purchase or otherwise, and hold, own, sell, assign and transfer shares of the capital stock of another corporation and to participate in and vote said stock at any stockholders' meetings, and validating existing holdings of stock by corporations.....	80	193	199	{348 364}	199	338	366	382	397
37. SENATOR J. J. SMITH: An act to provide for the construction of a part of the state wagon road known as the "North Yakima and Natchez State road," making an appropriation therefor, and declaring an emergency.....	80	270	.....	.....	.....	.....	.....	.....	.....
38. SENATOR VENESS: An act providing for the laying out and construction of a state wagon road, making an appropriation therefor, creating a commission to lay out and construct the same, defining its powers and duties, fixing the compensation of its members and declaring an emergency.....	91	269	.....	.....	.....	.....	.....	.....	.....
39. SENATOR BRATT: An act to establish an institution for the defective and feeble-minded youth of the State of Washington, providing for the erection and equipment of suitable buildings therefor and making an appropriation, and repealing laws and parts of laws in conflict with this act, and declaring an emergency.....	91	.....	.....	.....	.....	.....	.....	.....	.....
40. SENATOR REED: An act providing for the destruction of certain wild animals in this State.....	106	.....	.....	.....	.....	.....	.....	.....	.....

41. SENATOR GRAVES: An act to prevent the extension of special privileges to public officers or employees by quasi-public agencies.....	106	299	351	812	351	.....	.....	.....	.....
42. SENATOR GRAVES: An act relating to the public revenue, providing for the assessment and taxation of property, and creating a state tax commission	106	497	.....	467, 599, 601, 602, 603	.....	.....	.....	.....	.....
43. SENATOR RUTH: An act for the relief of Frank C. Owings, and making an appropriation therefor.....	106	179	182	440	182	410	453	458	479
44. SENATOR BAKER: An act to authorize civil actions for the recovery of damages arising from newspaper publications negligently made; defining the character of such damages, and requiring every newspaper published in this commonwealth to print in a conspicuous place in each issue the name of the owners, proprietors or publishers and the managing editors of same, and making a violation of this act a misdemeanor, and fixing a penalty therefor.....	107	.....	.....	.....	.....	.....	.....	.....	.....
45. Senator PAULY: An act to amend section 6 of an act entitled "An act making provision for the incorporation of cemetery associations, defining their powers, and prescribing a penalty for injury to their property," approved March 6, 1899.....	110	192	199	556	199	521	555	561	580
46. Senator HENRY: An act for the regulation of the manufacture and sale of vinegar, providing for the enforcement of the law and fixing a penalty for violation thereof.....	110	192	198	.....	198	.....	.....	.....	.....
47. Senator RANDS: An act giving the county commissioners right to set apart funds for the purpose of making a county exhibit at the Lewis and Clark Exposition at Portland.....	110	170	174	.....	.....	.....	.....	.....	.....
48. Senator RUTH: An act making an appropriation for the relief of the Capital National Bank of Olympia for money advanced for the maintenance of the state capitol.....	110	217	244	243, 249, 423, 439	244	411	453	458	478
49. COMMITTEE ON JUDICIARY: An act to increase the number of judges of the supreme court, relating to the powers of said court, and declaring an emergency.....	120	121	121	.....	121	125	131	126	135

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE		Read first and second time and referred..	Report of Committee....	Third reading and amend. ments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
50. SENATOR TUCKER: An act defining certain misdemeanors and providing the punishment, making it unlawful for any husband, without sufficient cause, to abandon his wife or infant child or children; making it unlawful for any wife, without sufficient cause, to abandon desert or fail to support her infant child or children; making it unlawful for any wife, without sufficient cause, to abandon her husband; making it unlawful for any person having the care and custody of any infant child or children, to permit said child or children to frequent any saloon, bawdy house, beer garden, public dance hall, or any place where intoxicating liquors are sold and drank as a beverage, or to suffer or permit said child or children to loiter or loaf upon the public street of any city after 9:00 o'clock p. m. on any day in any year; and declaring an emergency..	120	161	172	{169 348 362}	172	338	.....	.....	.....
51. SENATOR RUSSELL: An act providing for a state wagon road; defining its course; making an appropriation therefor; creating a road commission; and declaring an emergency.....	120	270	.....	.....	.....	.....	.....	.....	.....	.....
52 SENATOR WILSON: An act making appropriation for the improvement of the Agricultural College and School of Science.....	120	254	.....	.....	.....	.....	.....	.....	.....	.....
53 SENATOR WILSON: An act to change the name of the Washington Agricultural Experiment Station and School of Science to the State College of Washington.....	120	448	.....	.....	.....	.....	.....	.....	.....	.....
54. Senator PALMER: An act to appropriate funds for the payment of mileage and per diem of the presidential electors of the State of Washington	120	{169 312}	352	{326 678}	352	{158 671}	685	705	725	

55. SENATOR REED: An act to provide for the establishment and maintenance of a branch of the state soldiers' home for honorable discharged soldiers, sailors and marines who have served the United States government in any of its wars, members of the state militia disabled while in the line of duty, who are *bona fide* citizens of this state, and also the wives of such soldiers, sailors and marines	129	470							
56. SENATOR WATSON: An act amending section 1 of chapter 140 of laws of the Legislature of the State of Washington for 1901, which said chapter 140 is an act relating to the clearing out and improving of rivers and streams, and amending section 4391 of Ballinger's Annotated Codes and Statutes of Washington, the same being section 5 of an act entitled "An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, fixing maximum tolls therefor," approved March 18, 1895, which chapter 140 of the laws of 1901 was approved March 18, 1901	129	377							
57. SENATOR POGUE: An act for the relief of John H. Willms, and authorizing the commissioner of public lands of the State of Washington to relinquish on behalf of the State of Washington, for the benefit of John H. Willms, the south half of the south half of section 36, tp. 25, north of range 22 east of the Williamette meridian	129	162 216		243 323					
58. SENATOR TUCKER: An act to provide for the publication and sale of the reports of the supreme court of the State of Washington	129	229 442							
59. Senator CLAPP: An act for the incorporation of associations, societies and clubs, defining their powers, providing for the government, regulation and control thereof, and declaring an emergency	136			240	246	554			
60. Senator TUCKER: An act donating to the city of Seattle all the shore lands and waters of Green lake in the city of Seattle, King county, State of Washington	136	349	395	365 369 402 557 589	396	521	596	599	605
61. SENATOR KINNEAR: An act to prevent incompetent persons from conducting, engaging in or working at the business of plumbing within the State of Washington, and providing for and creating a state board of examiners to regulate and enforce the same and providing for a penalty for any violation thereof	136								
62. SENATOR KINNEAR: An act to fix the compensation of the regimental commander of the National Guard of Washington	136	471							

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

Number, Author and Title	Read first and second time and referred	Report of Committee	Third reading and amendments	Other action in Senate	Vote on final passage	Report from House	Signed by President of Senate	Signed by Speaker of House	Approved and signed by the Governor
63. Senator Kinnear: An act to amend section 3522, chapter five, of Ballinger's Annotated Codes and Statutes of Washington, relating to liability to trespass by animals	136	495							
64. Senator Davis: An act to amend section 1 of an act entitled "An act to regulate the employment of child labor and to prohibit the employment of females under the age of 18 years as public messengers and fixing a penalty for the violation thereof," approved March 16, 1903	147	193	200		200				
65. Senator Watson: An act to establish a state fish hatchery on the Toutle river, or some of its tributaries, in Cowlitz county, in the State of Washington, and making an appropriation therefor	147	215	219	712 726	219	671	719	721	723
66. Senator Bronson: An act to establish an institution for the defective and feeble minded youth of the State of Washington, providing for the erection and equipment of suitable buildings therefor and making an appropriation, and repealing laws and parts of laws in conflict with this act	147	239 409							
67. Senator Davis: An act to enable coroners of counties having a population of fifty thousand or more inhabitants to appoint a deputy coroner for such counties, and prescribing his duties	147	284 300	351	285 313 556	352	521	555	561	580
68. Senator Welsh: An act empowering cities of the third class to levy and collect an annual street poll tax, and declaring an emergency	148	262	276	558 589	276	552	596	600	606

69	SENATOR KINNEAR: An act fixing the salaries of county commissioners in counties of the first class and amending section 1 of an act entitled "An act to amend section 3 to 31, both inclusive, of an act entitled 'An act classifying the counties according to population, enumerating the county officers, fixing the salaries thereof, providing for deputies, collection of fees and payment of salaries,'"; said section hereby amended being section 1 of chapter CLXI of the Session Laws of 1895 amendatory of chapter 10 of the Laws of 1890, and approved March 20, 1895 (being the same as section 4007 of Pierce's Code of the Laws of Washington)	148	265								
70.	SENATOR TUCKER: A bill for an act to amend section one of an act entitled "An act to amend sections three to thirty-one, both inclusive, of an act entitled 'An act classifying the counties according to population, enumerating the county officers, fixing the salaries thereof, providing for deputies, collection of fees and payment of salaries,' received by the Governor March 26, A. D. 1890," approved March 20, 1895	148	265								
71.	Senator MOORE: An act to amend section 4251 of Ballinger's Annotated Codes and Statutes of Washington (Pierce's Code, section 7054) relating to the organization and management of private corporations and declaring an emergency	148	192	208	203 251 264	208	250	271	291	315	
72.	SENATOR CLAPP: An act in relation to public moneys of the State of Washington; providing for state depositories, and creating a board of financial auditors	155	519								
73.	SENATOR POTTS: An act for the protection of game animals and game birds; song birds and game fish, creating the office of state game warden, with power of appointment and defining powers and duties of game wardens in the State of Washington, and providing for their compensation and repealing sections 1, 2, 3 and 4 of chapter 137 of the Laws of the State of Washington of the year 1899 and sections 19, 20, 21, 22 and 23 of chapter 52 of the Laws of the State of Washington of the year 1897 and providing for license for hunting game in this state and providing penalties for the violation of the provisions hereof	155									
74.	SENATOR BOONE: An act to repeal an act entitled "An act to amend section 1 (Pierce's Code, Sec. 3921) of an act entitled 'An act to provide for annexing certain county territory to a neighboring county to which it is contiguous,'" and to repeal section 10 of an act, approved March 9, 1891," approved by the Governor March 16, 1903	155	310	339	339						

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
75. SENATOR GRAVES: An act providing for the compensation to employees for personal injuries received in the course of their employment	155	.....	.....	213	.....	.....	.....	.....	.....
76. SENATOR GRAVES: An act relating to primary elections, and providing for party nominations by direct vote	155	413	.....	.....	.....	.....	.....	.....	.....
77. SENATOR GRAVES: An act relating to exceptions and bills of exception, and repealing acts in conflict therewith	156	.....	.....	.....	.....	.....	.....	.....	.....
78. SENATOR KENNEDY: An act to establish a railroad commission for the State of Washington, whereby discrimination and extortion in railroad and express charges may be prevented and reasonable and just freight and passenger service and tariff may be established; to authorize the commission to make all necessary rules and regulations for its government, and the carrying into effect the provisions of this act. To give to said commission the power to regulate the sale of railroad tickets; to prescribe penalties for the violation of this act, and to provide means and rules for its proper enforcement	156	548	.....	{431 460}	.....	.....	.....	.....	.....
79. SENATOR DAVIS: An act for the protection of game animals, providing the closed season and fixing the penalties therefor	156	.....	.....	.....	.....	.....	.....	.....	.....
80. Senator STEWART: An act to amend section 2 of an act approved March 18, 1901 (Laws 1901, p. 344), amending section 2632 of Ballinger's Annotated Codes and Statutes of Washington (Laws of 1890, p. 269, sec. 2) relating to the state soldiers' home	156	471	515	{546 726}	515	694	719	721	726
81. Senator WILSON: An act to regulate the practice of osteopathy in the State of Washington; to license osteopaths and to punish all persons violating the provisions of this act, and amending section 3012 of Ballinger's annotated Codes and Statutes of Washington, relating to the appointment of a state board of medical examiners	156	186	.....	{196 558}	197	423	.....	.....	.....

82. Senator POGUE: An act to provide for the erection of screens at the head of irrigating, mill, or electric light flumes or ditches, or canals, for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches, or canals, and providing a penalty for the violation thereof	163	215	219	590	219	553	596	599	605
83. Senator MOORE: An act amending section 6403, Ballinger's Annotated Codes and Statutes of Washington, relating to bonds of guardians and prescribing the requirements thereof	164	193	209	251, 264	209	250	271	291	315
84. Senator MOORE: An act providing for the suspension and withholding of sentences of persons under the age of twenty-one years who have been convicted of a misdemeanor or felony in the superior courts of the State of Washington	164	194	208	203	208	337	348	355	365
85. Senator MOORE: An act providing for sanitary conditions in hotel and restaurant kitchens, and providing penalties for non-compliance therewith	164	202	212	423, 466, 488	212	410	507	516	540
86. Senator RASHER: An act relating to the employment of special attorneys and counsel by county commissioners	164	194	209	204, 344	209	337	348	355	365
87. Senator POTTS: An act authorizing the board of state land commissioners of the State of Washington to extend the time for the removal of timber sold on state, granted, or school lands, and declaring an emergency	171	235	260	249, 467, 487	260	381	507	516	540
88. Senator WILSON: An act to amend section 3 of an act entitled "An act to regulate the practice of medicine and surgery in the State of Washington, and to license physicians and surgeons; to punish all persons violating the provisions of this act, and to repeal all laws in conflict herewith, and declaring an emergency," received by the Governor March 28, 1890, and having become a law by reason of not having been filed, with the Governor's objection thereto, in the office of the secretary of state within the time prescribed by the Constitution of the State, as amended by an act passed by the House of Representatives February 8, 1901, and by the Senate February 14, 1901, thereafter vetoed by the Governor, and passed over his veto by the House of Representatives and by the Senate February 28, 1901, the same being known as section 6284 of Pierce's Code	171	214	218	439	218	410	453	458	479

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time and referred	Report of Committee	Third reading and amendments	Other action in Senate	Vote on final passage	Report from House	Signed by President of Senate	Signed by Speaker of House	Approved and signed by the Governor
89. SENATOR WILSON: An act to amend sections 1, 4, 5, 6, 7, 8, 12, 14, 15, 16, 17, and 18 of an act entitled "An act to promote the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commissioner of horticulture; to repeal certain laws in conflict therewith, and to provide penalties and punishment for its violation, and declaring an emergency," approved March 16, 1903	171	.....	.....	.....	.....	.....	.....	.....	.....
90. Senator WILSON: An act to provide a system of registration of births and deaths and the method of reporting births and deaths, and for the issuance of permits for the burial, removal or transportation of bodies of deceased persons and fixing the penalty for the violation, and repealing all laws inconsistent with this act	171	202	211	558 598 644 661	211	521	.....	.....	.....
91. Senator RUTH: An act to amend section 6488 of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to habitual drunkards	171	407	532	441	532	678	.....	.....	.....
92. SENATOR DAVIS: An act to extend and regulate and limit the liability of employers to make compensation for personal injuries suffered by workmen in their service and providing for civil procedure in actions for injuries sustained by a workman	172	.....	.....	200	.....	.....	.....	.....	.....
93. Senator SMITH: An act requiring railroad companies to weigh cars loaded with lumber, shingles and other forest products at junction points, and at some common point or points, and fixing penalty; repealing chapter CXLIV, Session Laws of 1901	179	330	461	344 425 716	461	694	717	721	726
94. Senator RASHER: An act to prevent the fraudulent removal, sale, disposition of, encumbrance or destruction of personal property and to provide punishment for the violation thereof	180	195	210	383 423 439	210	383	458	458	479

95. Senator DAVIS: An act amending section 2945 of Ballinger's Codes and Statutes of Washington, and relating to the maintenance and trial of actions by persons injured in their persons, property, or means of support, by intoxicated persons or in consequence of the intoxication of persons	180	255	255	555	255	521	555	561	580
96. Senator RUSSELL: An act to amend section 2757 of Ballinger's Annotated Codes and Statutes of Washington, fixing the penalty for unlawfully assisting prisoners to escape from the state penitentiary, or unlawfully furnishing prisoners morphine, opium or other drugs	180	214	218	224 466 489	218	410	507	516	540
97. SENATOR BRONSON: An act to require railroad companies and other carriers to equip their flat cars used for carrying lumber and other forest products with standards, supports, strips, railings, chains, and other appliances necessary to the safe carriage of such lumber and forest products, to provide that the weight of all such appliances be included in the weight of the cars; to provide pay for the shipper by the carrier in case of default on the part of the latter, and for other purposes, and providing a penalty	180	411	.....	576	.....	.....	.....	.....	.....
98. SENATOR J. J. SMITH: An act to amend section 3125 of Pierce's Washington Code relating to commitment of witnesses before committing magistrates	180	.....	.....	.....	.....	.....	.....	.....	.....
99. SENATOR J. J. SMITH: An act to amend section 6 of an act entitled "An act to provide for the manner of commencing civil actions in superior courts, and bringing the same to trial," approved March 15, 1893	181	.....	.....	.....	.....	.....	.....	.....	.....
100. SENATOR LE CRONE: An act to amend section 20 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the State Constitution, which shall be generally known as the board of state land commissioners; defining their duties and making an appropriation therefor, and declaring an emergency;" approved March 16, 1897, and declaring an emergency	181	.....	.....	.....	.....	.....	.....	.....	.....
101. Senator TUCKER: An act amending section 7109 of Ballinger's Annotated Codes and Statutes of Washington, relating to petit larceny and providing a penalty therefor	181	252	273	264 558 589	273	521	596	599	606

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
102. SENATOR HAMMER (by request): An act creating a lien upon real estate that is leased to saloons or places where intoxicating liquors are sold in violation of law, or for prostitution or gambling.....	181	407	.....	.....	.....	.....	.....	.....	.....
103. SENATOR POTTS: An act defining felony by co-partner, prescribing the punishment and declaring an emergency.....	188	....	.....	.....	.....	.....	.....	.....	.....
104. SENATOR POTTS: An act relating to malicious mischief and felonious mischief or injury to personal property; defining malicious mischief and felonious mischief, and fixing the penalties therefor..	189	....	.....	... .	.....	.....	.....	.....	.....
105 SENATOR POTTS: An act appropriating the sum of $5,000.00 for carrying out the purpose of that certain act entitled "An act to provide for the acquirement, management and control by the State of Washington, of grounds surrounding and including what was the Whitman mission, and where now stands the Whitman monument and authorizing the appointment of a commission," approved March 18, 1901.....	189	.311	.....	.....	.....	.....	.....	.. ....	.....
106. Senator WELSH: An act providing for the amendment of section 16 of article one (1) of the Constitution of the State of Washington, relating to the exercise of the power of eminent domain.....	189	.....	250	{249 272}	250	.....	.....	.....	.....
107. Senator O'DONNELL: An act to establish and maintain a state fish hatchery on the Humptulips river, Chehalis county, Washington, and making an appropriation therefor.....	189	215	244	{223 243 248 556 589}	244	522	596	599	606
108. Senator SMITH: An act to provide against the adulteration and sale of meal or ground grains used for feeding farm live stock, declaring the same a misdemeanor, providing a penalty therefor, and requiring the state dairy and food commissioner, attorney general and prosecuting attorneys to enforce the provisions hereof..	189	266	276	680	276	648	685	705	725

109. SENATOR RUTH: An act defining who is a manufacturer, refiner, rectifier, distiller and brewer, and providing for the levying and collecting of an excise tax on the manufacture or spirituous and malt liquors, compelling annual returns of the gross amount manufactured, and providing penalties	190								
110. SENATOR RUTH: An act to confirm the title to and correct the conveyances of certain tide lands heretofore sold by the State of Washington	190								
111. SENATOR STEWART: An act to amend sections 6, 7, 12 and 18 of an act entitled "An act to promote the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commissioner of horticulture; to repeal certain laws in conflict therewith, and to provide penalties and punishment for its violation"	196								
112. SENATOR VENESS: An act to establish a state fish hatchery on the Chehalis river, in Lewis county, in the State of Washington	196	264	294	279, 556, 589	294	522	596	599	605
113. SENATOR WELSH: An act to establish and maintain a home for the indigent blind, aged and infirm, and making an appropriation therefor, and declaring an emergency	196								
114. Senator HAMMER: An act to amend sections 3, 9 and 24 of an act entitled "An act to provide for the establishment and creation of drainage districts and the construction and maintenance of a system of drainage, and to provide for the means of payment thereof, and declaring an emergency," approved March 20, 1895, the same being sections 3717, 3723 and 3738 of volume 1 of Ballinger's Annotated Codes and Statutes of Washington	196	267	368	280, 711, 730	368	694	729	729	
115. SENATOR BRATT: An act relating to the drawing and summoning of grand juries	204	414	463	468					
116. Senator VENESS: An act permitting the sale of the State's granted timber lands in such a manner as to realize the greatest revenue for the State, and declaring an emergency	204	233	261	248	261				
117. SENATOR VENESS: An act to promote the reforesting of the state's timber land after the existing timber thereon has been removed therefrom	204								
118. SENATOR REED: An act relating to stock running at large in certain districts	204	267	293	279, 295, 296	293, 305				

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time, and referred	Report of Committee	Third reading and amendments	Other action in Senate	Vote on final passage	Report from House	Signed by President of Senate	Signed by Speaker of House	Approved and signed by the Governor
119. Senator REED: An act to promote the agricultural (apricultural) interests of the State of Washington, providing for county inspectors of apiaries, defining their duties, and providing for their compensation	205	307	352	326 679	352	671	685	705	723
120. SENATOR RASHER: An act to amend section 5355 of Ballinger's Codes and Statutes of the State of Washington (section 515 of Pierce's Code), relating to attachments and garnishments, as the same was amended by an act of the Legislature of the State of Washington, approved March 6, 1903	205	.....	.....	.....	.....	.....	.....	.....	.....
121. Senator RASHER: An act appropriating the sum of six thousand dollars for the use and benefit of The Florence Crittenton and The White Shield Home rescue work for the State of Washington	205	254 274	274	263 274 556 589	274	523	596	599	606
122 SENATOR WELSH: An act to establish a code of probate law and procedure, including administration of estates of deceased persons and repealing all existing laws relating thereto	205	399	.....	.....	.....	.....	.....	.....	.....
123. SENATOR O'DONNELL: An act prohibiting the use of misrepresentation, false advertising, false pretenses, in procuring employees to work in any department of labor in this state, and fixing a penalty for the violation thereof	205	.....	.....	.....	.....	.....	.....	.....	.....
124. Senator BAKER: An act to provide for submitting the question of changing the permanent location of the seat of government from Olympia, Thurston county, Washington, to Tacoma, Pierce county, Washington, to the vote of the people	206	217	220	221 229 374 433	220	362	396	420	.....
125. SENATOR RANDS: An act to provide for compensating volunteers for the service of the territory of Washington during the Indian wars of 1855-1856, for such services, and making an appropriation therefor	206	.....	.....	.....	.....	.....	.....	.....	.....

126. Senator RANDS: An act permitting railroad companies to acquire a perpetual easement and right of occupancy of portions of the public lands of the State of Washington for railroad purposes.....	217	283	{305 360}	{297 307 313 325}	{306 360}	.....	.....	.....	.....	
127. Senator RANDS: An act to apportion the State of Washington into congressional districts	217	474	537	{489 546}	537	.....	.....	.....	.....	
128. Senator WILSON: An act to amend sections 1, 3, 4, 7 and 8 of an act entitled "An act for the prevention of the spread of contagious diseases; defining the methods and fixing the penalty for the violation and repealing sections in conflict with this act," approved March 12, 1903, and adding section 1½ to said act.....	218	251	274	{263 278 286 297}	{274 293}	657	.....	.....	.....	
129. Senator PALMER: An act to amend sections 1, 2, 3 and 6 of an act entitled "An act to provide for the extermination of coyotes and wolves in the State of Washington and for the payment of bounties for such extermination, and making an appropriation therefor," passed by the House notwithstanding the Governor's veto January 24, 1905, passed by the Senate notwithstanding the Governor's veto January 26, 1905, and filed in the office of the secretary of state January 27, 1905, and providing for the extermination of other wild animals and the payment of bounties therefor.....	224	234	272	{248 555}	272	521	555	562	579	
130. Senator BELL: An act to amend section 5 of an act entitled "An act to provide for the enrollment of the militia, for the regulation, maintenance and discipline of the National Guard of the State of Washington and for the public defense, and to amend sections 1932, 1933, 1943, 1959, 1965, 1964, 1975, 1995, 2000, 2010 and 2068 and to repeal section 1957 of Ballinger's Annotated Codes and Statutes of the State of Washington, and to amend sections 6, 7, 8 and 11 of an act entitled 'An act to amend sections 1926, 1929, 1950, 1950, 1953, 1954, 1963, 1981, 1990, 1992, 1993, 2025, 2028, 2046 and 2061 of Ballinger's Annotated Codes and Statutes of the State of Washington relating to the military code of the State of Washington, providing for courts of inquiry and declaring an emergency,' approved March 16, 1901, and declaring an emergency," approved March 16, 1903.....	224	471	529	546	531	.....	.....	.....	.....	
131. SENATOR SUMNER: An act creating a board of state tax commissioners and defining its powers and duties, and declaring an emergency	225	.....	.....	.....	.....	.....	.....	.....	.....	
132. Senator HUNTER: An act relating to the presentation of claims for damages against cities and towns in this State.....	225	252	275	.....	275	382	.....	.....	.....	

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
133. Senator HAMMER: An act authorizing the assessment of lands held or owned by the State of Washington, within the limits of diking or drainage districts in any county within the State, providing for the payment of such assessments, and making an appropriation therefor	225	284 412	294 541	294 441 532	541	641	.....	.....	.....
134. SENATOR TUCKER: An act making appropriation for the construction of a library building and a chemistry building at the University of Washington	225	254	.....	.....	.....	.....	.....	.....	.....
135. SENATOR KINNEAR: An act providing for the election of the clerk of the supreme court, fixing his term of office, and providing for his salary	225	413	.....	463 559	.....	.....	.....	.....	.....
136. SENATOR HEMRICH: An act granting to the City of Seattle, upon certain conditions, certain shore lands on the west side of Lake Washington, in King county, State of Washington	230	.....	.....	.....	.....	.....	.....	.....	.....
137. SENATOR POGUE: An act providing for the irrigation, improvement and sale of certain lands set apart for the use and maintenance, support and endowment of the Agricultural College and School of Science, and declaring an emergency	230	269 309	.....	358	.....	.....	.....	.....	.....
138. SENATOR S. T. SMITH: An act to provide for the formation of banking corporations and to regulate the business of banking and securing state supervision thereof; for the appointment of a bank commissioner, defining his duties, fixing his compensation and making an appropriation therefor	230	547	.....	.....	.....	.....	.....	.....	.....
139. SENATOR PAULY: An act to amend section 1 of an act entitled "An act relating to the taxation of inheritances and providing for disposition of same," approved March 6, 1901	230	.....	.....	.....	.....	.....	.....	.....	.....

140. **Senator RANDS: An act amending section twenty-one (21) of chapter one hundred and forty-three (143), Laws of 1903, relating to "River Improvement Districts" and the collection of taxes therein**	230	253	275	680	275	648	685	705	723
141. SENATOR RUSSELL: An act to provide for the publication and sale of the Washington Supreme Court Reports	231								
142. **Senator KINNEAR: In relation to the delivery of goods to consignees by common carriers**	231	548 584	659		659				
143. SENATOR TUCKER: An act amending section 2, chapter LXV of the Session Laws of 1897, and declaring an emergency therefor	231	405							
144. SENATOR PALMER (by request): An act for the relief of the holders of warrants drawn upon the "state normal school fund" provided for by an act of the Legislature approved March 7, 1895; authorizing the issuance of state bonds therefor and their sale to the permanent school fund; authorizing the levy of an annual tax to redeem such bonds and declaring an emergency	231								
145. SENATOR RUSSELL: An act providing for the nomination of party candidates by direct vote	241	475							
146. SENATOR POTTS: An act pertaining to and compelling transfer of shares of stock in private corporations	241								
147. **Senator PALMER: An act to amend section 5 of an act entitled "An act creating and providing for the enforcement of liens for labor and material," approved February 21, 1893**	242	490							
148. SENATOR SUMNER: An act to provide for the organization of bonding and surety companies and to regulate their management	256	585	659	590 660					
149. SENATOR BRONSON: An act to amend sections 6, 7, 12 and 18 of an act entitled "An act to promote the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commissioner of horticulture; to repeal certain laws in conflict therewith, and to provide penalties and punishment for its violation"	256								
150. SENATOR EARLES: An act for the preservation of the salmon fishing industry of the State of Washington, providing for closed seasons, for penalties for the violation of this act and the repeal of conflicting laws	256	404	463	463 496 528 598	463				

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
151. SENATOR POGUE: An act appropriating money for an artesian well and providing for a commission to expend same.....	256	312	.....	.....	.....	.....	.....	.....	.....
152. SENATOR STANSELL: An act creating the office of state inspector of mines (excepting coal); fixing his duties and powers, providing for his appointment and the appointment of deputies and fixing their compensation, requiring certain reports and notices of accidents to be made to said inspector, defining the duties of the attorney general in relation to suits instituted by the inspector of mines and defining the word "mines".....	256	634	.....	.....	....	.....	.....	.....	.....
153. Senator STANSELL: An act limiting the authority of prosecuting attorneys to compromise or dismiss any civil action or proceeding to which the State or county is a party.....	256	413	465	.....	465	.....	.....	.....	.....
154. Senator WILSON: An act to prohibit the advertising of treatment or cure of diseases and disorders of the sexual organs, declaring the same a misdemeanor and prescribing a penalty therefor.....	257	297	336	345, 557, 589	336	522	596	599	605
155. SENATOR TUCKER: An act relating to the taxation of inheritances and providing for disposition of same, and repealing an act entitled "An act relating to the taxation of inheritances and providing for disposition of same," approved March 6, 1901, and declaring an emergency	257	346, 520	.....	.....	....	....	....	.....	.....
156. Senator STEWART: An act making an appropriation for the maintenance of the Western Washington Experimental Station, located at Puyallup, Pierce cuonty, Washington.....	257	409	532	441	532	.....	.....	.....	.....
157. SENATOR MOORE: An act relating to liens of labor, mechanics, and material men, amending an act entitled "An act creating and providing for the enforcement of liens for labor and material," approved February 21, 1893, amending sections 1, 2, 4, 16 and 17 thereof, adding sections 4½, 17½, 18½, and repealing acts and parts of acts inconsistent herewith.....	271	.....	.....	.....	.....	.....	.....	.....	.....

158. STATE LIBRARY COMMITTEE: An act to provide additional room for the state library, making an appropriation therefor and declaring an emergency	271	411		861						
159. SENATOR BRATT: An act to amend sections 1, 7, 9, 12 and 14 of an act entitled "An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes, and the manner of expenditure thereof, and providing for the division of counties into road districts, and the appointment of supervisors thereof, and repealing all acts and parts of acts in conflict herewith"	271									
160. Senator BRONSON: An act validating the sale and conveyance heretofore made of state timber and timber lands, bearing more than one million (1,000,000) feet of timber to the quarter section	271	445	536		536					
161. SENATOR EARLES: An act providing for the furnishing of cars to shippers and prescribing the time of loading and unloading the same, and providing a penalty	271	563								
162. SENATOR DAVIS: An act relating to all persons, associations, companies and corporations engaged in gathering news and the distribution thereof, and declaring the same to be common carriers, and providing penalties for discrimination between patrons thereof or persons desiring to become patrons, and declaring an emergency	286									
163. Senator HAMMER: An act to provide for the payment of expenses incurred in compliance with an act entitled "An act to provide for the construction and maintenance of dykes and dams in certain cases," approved February 2, 1888, or of any acts amendatory thereof	286	329	369 391	442 726	392	705	719	721	724	
164. Senator HAMMER: To prevent discrimination in the distribution of cars by railroad companies	286	555	360 658		360 658					
165. Senator PAULY: An act to validate assessments made, or which may be made, to pay for local improvements, by any incorporated city in this State, and to prohibit the setting of such assessments aside or declaring the same invalid upon any ground other than upon the ground of fraud	286	347	390	365 712 716	390	657	717	721	723	
166 SENATOR POTTS: An act amending section 15 of an act entitled "An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes, and the manner of expenditure thereof, and providing for the division of counties into road districts, and the appointment of supervisors thereof, and repealing all acts and parts of acts in conflict herewith," approved by the Governor March 16, 1903; same being section 15 of chapter 119 of the Session Laws of 1903	287									

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
167. Senator HUNTER: An act regulating the production and sale of milk, cream, etc.....	287	{347 406}	533	440	533	.....	.....	.....	.....
168. Senator HUNTER: An act for the prevention, control and cure of tuberculosis, and providing for investigation and report thereon by the state board of health.....	287	408	536	441	536	.....	.....	.....	.....
169. SENATOR RUSSELL: An act defining who may be construed to be fellow servants	287	445	.....	{567 652}	.....	.....	.....	.....	.....
170. SENATOR STEWART: An act fixing the fees to be paid to the secretary of state by corporations doing business in this state and repealing all acts and parts of acts in conflict herewith.....	287	551	.....	.....	.....	.....	.....	.....	.....
171. Senator PALMER: An act to prohibit boycotting, unfair lists, picketing or other interferences with the lawful business or occupation of others, and to provide a penalty therefor.....	288	329	{369 420}	{369 370}	421	678	.....	.....	.....
172. Senator RANDS: An act setting aside and dedicating certain lands of the State as a public highway.....	288	377	426	.....	.....	.....	.....	.....	.....
173. SENATOR BRATT: An act to provide for the disposition of the delinquent tax lists of the several counties of the State of Washington	288	584	.....	.....	.....	.....	.....	.....	.....
174. SENATOR RUTH: An act amending section 6 of "An act to create a state oyster commission, to define its duties and powers, provide for the protection and management of the state oyster land reserves, to create a fund to be known as the oyster fund, providing for the issuance of license to take oysters from the state oyster land reserves, providing for a penalty for the violation of the provisions of this act, making an appropriation and declaring an emergency," approved March 16, 1903.....	288	.....	.....	.....	.....	.....	.....	.....	.....

175. Senator EARLES: An act amending section 3 of chapter 176 of the laws of 1903, entitled "An act providing for the incorporation of trust companies, and defining their powers and duties," approved March 17, 1903, and declaring an emergency.....	303	376 492	424 543	403	543	....	....	.....	.....
176. Senator STEWART: An act to amend section 5 of an act entitled "An act to provide for the incorporation of associations for social, charitable and educational purposes," approved March 21, 1895....	304	327	390	344 712 726	391	648	719	721	726
177. Senator BAKER: An act to create the county of Benton, subject to the requirements of the State Constitution and Statutes in respect to the establishment of new counties.....	304	345	369	365 370 606	369	523	612	642	660
178. SENATOR BAKER: An act to amend section 4 of an act entitled "An act to promote the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commissioner of horticulture, to repeal certain laws in conflict therewith, and to provide penalties and punishment for its violation, and declaring an emergency," approved March 16, 1903.....	304	.....	.....	.....	.....	.....	.....	.....	.....
179. SENATOR O'DONNELL: An act exempting from taxation certain funds and property used in their regular work and not invested for pecuniary profit, belonging to subordinate lodges, chapters and encampments of Free and Accepted Masons, Independent Order of Odd Fellows, Knights of Pythias, and all other fraternal societies doing similar benevolent work in the State of Washington.....	304	634	.....	.....	.....	.....	.....	.....	.....
180. COMMITTEE ON GAME AND GAME FISH: An act establishing hunter's licenses, providing for the disposition of moneys collected under the provisions thereof, and fixing penalities for its violation.....	316	346	425	426 437 641 711 726	426 476	642	719	721	724
181. SENATOR GRAVES: An act authorizing county commissioners to make provision for the relief and support of dependent children...	316	377 491	543	518	544	.....	....	.....	.....
182. JOINT COMMITTEE ON PRINTING: An act creating the office of public printer; providing for the appointment thereof and qualification of said officer; providing for the public printing and binding, fixing the compensation thereof and declaring an emergency.....	316	409	357 393	357 392 395 430 442 713 715 717 720 730	438	656	733	733	.....
183. Senator HUTSON: An act amending an act entitled "An act to amend section 221 of an act entitled 'An act to regulate the practice and proceedings in civil actions,' approved December 1, 1881" approved March 12, 1903.....	317	493	559	518	559	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
184. COMMITTEE ON APPROPRIATIONS: An act making appropriations for the salaries and expenses of the state board of control and for the maintenance and sundry expenses of the various state penal, reformatory and charitable institutions for the fiscal term beginning April 1, 1905, and ending March 31, 1907.....	317	350	350	350 557 596 606	350	522	612	642	660
185. COMMITTEE ON APPROPRIATIONS: An act making appropriations for certain deficiencies for fiscal periods prior to March 31, 1905, and for other purposes.....	317	354	355	557 600 603 680	356 364	523 642	685	705	725
186. SENATOR STANSELL: An act submitting to the electors of the State of Washington an amendment to the Constitution, repealing section 20 of article 12, and enacting a new section in lieu thereof, relating to the granting of free passes to public officials.....	319	.....	.....	.....	.....	.....	.....	.....	.....
187 Senator KINNEAR: An act exempting from taxation property owned by Greek letter fraternities.....	319	584	656	.....	656	.....	.....	.....	.....
188. (Substitute.) COMMITTEE ON IRRIGATION AND ARID LANDS: An act providing for the irrigation, improvement and sale of lands granted to the State of Washington for all purposes and uses.....	319	.....	358	364 556	359	523	555	561	580
189. SENATORS WELSH and RUSSELL: An act to amend section 3 of an act entitled "An act creating a state library commission, prescribing its duties, providing for the appointment of a state librarian and assistants, prescribing their duties and repealing an act entitled, 'An act to promote and establish the efficiency of free public libraries and for the purpose of establishing a state library commission and appropriating two thousand dollars for travelling									

library fund,' approved March 2, 1901; repealing an act entitled 'An act providing for the distribution of the public documents of the State of Washington,' approved March 6, 1901, repealing an act entitled 'An act relating to the state library, and declaring an emergency, approved March 8, 1893; repealing an act entitled 'An act to provide for the publication, distribution and sale of the Supreme Court Reports of the State of Washington, and declaring an emergency,' approved February 25, 1891; and amending section 1 and repealing sections 3, 4, 5, and 6 of an act entitled 'An act to define the duties and provide for assistants for, and fix the compensation of, the secretary of state, received by the Governor March 28, 1890; and repealing all other acts or parts of acts in conflict herewith, and declaring an emergency," approved March 17, 1903	331	443	537	475 538	538					
190. Senator HAMMER: An act for the relief of James O'Loughlin for the sale of state school lands in Skagit county, Washington, during the year 1891	331	407	477	477	477					
191. SENATOR EARLES: An act providing for the furnishing of cars to shippers and prescribing the time of loading and unloading the same, and providing a penalty	331	634	654	658	653 690					
192. SENATOR POTTS: An act for the protection of game animals, game birds, game fish, and creating the office of state game warden for the State of Washington, defining his powers and duties and providing for compensation and expenses of said office, and creating a fund to be known as the state game fund, and providing for the issuance of a hunters' license, penalties for the violation hereof and providing for the right of search and search warrant for the enforcement hereof, and making the possession of any of the game animals, game birds or game fish, or parts thereof, protected by the laws of the State of Washington, prima facie evidence of ownership and unlawful holding, and repealing chapter one hundred and thirty-seven (137) of the Laws of 1899, and repealing chapter ninety-four (94) of the laws of 1903, and repealing sections six (6) and nine (9) of chapter one hundred and thirty-four (134) of the Laws of 1901 and repealing sections nineteen (19), twenty (20), twenty-one (21), twenty-two (22), and twenty-three (23), of chapter fifty-two (52) of the Laws of 1897, and also repealing all other laws in conflict with the provisions of this act	331	.....	.....	.....	.....	.....	.....	.....	.....	
193. Senator WATSON: An act to regulate the catching or taking of, and licensing the catching of smelt fish in the Columbia river, and its tributaries, within the State of Washington, and fixing penalties....	350	409	477	490	477	.....	.....	.....	.....	

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time, and referred...	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
194. Senator TUCKER: An act to amend section 4736 of Ballinger's Annotated Codes and Statutes of Washington, relating to exemptions from jury duty.....	366	492	577	.....	577	.....	.....	.....	.....
195. SENATOR HAMMER: An act to amend section 4869 of Ballinger's Annotated Codes and Statutes of the State of Washington regulating the commencement of action as affecting the statute of limitations	366	.....	.....	.....	.....	.....	.....	.....	.....
196. Senator SUMNER: An act to amend an act creating a state oyster commission, etc.	366	498	612	518	612	.....	.....	.....	.....
197. COMMITTEE ON STATE, GRANTED, SCHOOL AND TIDE LANDS: An act to confirm the title and character of conveyances of certain oyster and tide lands heretofore sold in the State of Washington.....	366	389	425	.....	425	.....	.....	.....	.....
198. Senator RANDS: An act to provide for the reappraisement of the tide and shore lands on the Columbia river in front of the city of Vancouver, Washington, and granting abutting owners the preference right of purchase, and declaring an emergency.....	367	444	444	.....	444	.....	.....	.....	.....
199. SENATOR STANSELL: An act providing for the state's printing, the various classes defined and the maximum price that may be charged therefor; and repealing all acts and parts of acts in conflict therewith	367	.....	.....	.....	.....	.....	.....	.....	.....
200. Senator RUSSELL: An act to amend section 6490 of Ballinger's Annotated Codes and Statutes of Washington, relating to habitual drunkards	384	469	531	.....	531	678	.....	.....	.....
201 Senator CLAPP: An act regulating the keeping and deposit of municipal funds	384	527	578	590 680	578	671	685	704	725

202. SENATOR KINNEAR: An act repealing sections 1, 2 and 3 of chapter 101 of the Session Laws of 1899, entitled "An act to establish the number of hours to constitute a day's work on all state, county, and municipal construction or such work done by contract or subcontract, and providing penalties for its violation." and sections 1, 2 and 3 of chapter 44 of the Session Laws of 1903, entitled "An act declaring it to be a part of the public policy of the State of Washington that all public work for it, or any political subdivisions created by its laws, shall be performed in work days of not more than eight hours each, except in case of extraordinary emergency, with provisions for carrying out such policy.....	384								
203. Senator HUNTER: An act authorizing the use of "deficiency certificates" heretofore issued for labor performed on roads in payment of road and property taxes.....	384	490	615		615				
204 SENATOR POGUE (by request): An act providing for assessment and taxation of mining claims, the improvements thereon and the ore backs, blocks and reserves of mines, and declaring an emergency	385	638							
205. SENATOR WELSH: An act to amend section 6120 of Ballinger's Annotated Codes and Statutes of Washington, relating to the proving and admitting to probate of foreign wills.....	401								
206. Senator CLAPP: An act authorizing county commissioners to transfer moneys remaining in the county treasury for the payment of warrants that have been duly called and not presented for payment..	401	491	563	517	563	641			
207. SENATOR CLAPP: An act authorizing county commissioners to fund indebtedness of road districts.....	402								
208. (Substitute.) COMMITTEE ON JUDICIARY: An act to amend sections 6196, 6226, 6228, 6246, 6321, 6337 and 6340 of Ballinger's Annotated Codes and Statutes of Washington, relating to probate law and procedure	402		484		484				
209. SENATOR WELSH: An act appropriating the sum of five thousand dollars ($5,000.00) in connection with the suit about to be instituted by the State of Washington against the State of Oregon to determine the boundary line between such states.....	421	608 649	649	609 716	649	705	717	721	725
210. COMMITTEE ON JUDICIARY: An act repealing sections 32 and 33 of an act in relation to the insane of the State of Washington, and making appropriations for the maintenance thereof, and declaring an emergency, approved March 13, 1890, being sections 2677 and 2678, Ballinger's Code.....	421		484		484				

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time and referred	Report of Committee	Third reading and amendments	Other action in Senate	Vote on final passage	Report from House	Signed by President of Senate	Signed by Speaker of House	Approved and signed by the Governor
211. COMMITTEE ON JUDICIARY: An act providing for the detention and commitment of the criminal insane, and declaring an emergency	422	.....	484	.....	484	.....	.....	.....	.....
212. (Substitute.) COMMITTEE ON MANUFACTURES: An act requiring railroad companies and other common carriers to include in the weight of cars used for the shipment of lumber and other manufactured lumber products, the weight of the standards, supports, strips, railings, chains and other appliances necessary to the safe carriage of such lumber and other manufactured lumber products, fixing the weight of such appliances and the manner of adjusting freight charges of such shipments, and providing penalties for its violation, and punitive damages	422	.....	576	716	577	694	717	721	725
213. Senator DAVIS: An act relating to licenses for the sale of beer	422	495	565	{517 / 590}	565	.....	.....	.....	.....
214. SENATOR TUCKER (by request): An act relating to revenue and taxation, and amending section 5 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, as amended (being section 1 of chapter 178 of the Session Laws of 1903)	422	.....	.....	.....	.....	.....	.....	.....	.....
215. SENATORS BOONE, KENNEDY, WATSON and HENRY: An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes, and the manner of the expenditure thereof, and providing for the division of counties into road districts, and the appointment of supervisors thereof, and repealing all acts and parts of acts in conflict herewith	422	.....	.....	.....	.....	.....	.....	.....	.....

216.	SENATOR HUTSON: An act creating a judicial district in and for the State of Washington out of the counties of Adams and Franklin and providing for the annexation thereto of the county of Benton if the same shall become a county and providing for a judicial district composed of the counties of Yakima and Kittitas and providing for a judicial district composed of the county of Lincoln, and providing for the appointment of a judge for the district composed of Adams and Franklin, jointly, until the next general election and thereafter for the election of a judge for each of said districts and fixing the term of office of such judge and declaring an emergency	431	491	566	518 590	566					
217.	SENATOR CLAPP: An act regulating the keeping and deposit of public funds in banks by the several county treasurers of this state	431									
218.	(Substitute). SENATOR KENNEDY: An act to regulate commerce within this state, and creating a railroad commission, and defining the duties of such commission; to provide penalties for the violation of this act and to provide means for its proper enforcement	431		460	460	461					
219.	SENATOR DAVIS: An act for the relief of the Fairhaven Land Company, a corporation, making an appropriation therefor	450									
220.	SENATOR HUNTER (by request): An act for the relief of Mary Francis Thurston for money paid to the State of Washington by the Fairhaven & Southern railway company for land claimed to be school land and which was proven not to belong to the state but to Mary Francis Thurston, who has been subjugated to the rights of the Fairhaven & Southern railway company	451									
221.	SENATOR KINNEAR: An act forbidding any person or company from producing or playing for profit any unpublished or undedicated dramatic or musical composition and prohibiting any person, company or corporation from selling a copy or substantial copy of any unpublished, undedicated or copyrighted opera or musical composition without the consent of the author or proprietor and providing for a penalty therefor	451									
222.	SENATOR MOORE (by request): An act providing that the prosecuting attorney of any county in this state may hold courts of inquiry before a judge of the superior court or justices of the peace, making provision for the payment of witnesses and declaring an emergency	451									
223.	COMMITTEE ON JUDICIARY: An act to provide for the holding of the sessions of the supreme court of the State of Washington at Tacoma, designating the library of said court, providing for the management thereof, and declaring an emergency	451									

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE	Read first and second time and referred	Report of Committee	Third reading and amendments	Other action in Senate	Vote on final passage	Report from House	Signed by President of Senate	Signed by Speaker of House	Approved and signed by the Governor
224. Senator BRATT: An act permitting honorable discharged soldiers, sailors or marines formerly in the service of the United States to carry on certain businesses, and amending section 1, chapter 69 of the Session Laws of 1903	452	520	577	589	577	.....	.....	.....	.....
225. SENATOR PAULY: An act making an appropriation for the removal of obstructions in the Columbia and Snake rivers within the State of Washington and making said rivers navigable within this state; and creating a board of commissioners, to be appointed by the Governor who shall have general supervision of such work, and declaring an emergency	452	.....	.....	.....	.....	.....	.....	.....	.....
226. Senator SUMNER: An act relating to assessments for local improvements	452	620	650	.....	650	.....	.....	.....	.....
227. SENATOR MOORE (by request): An act providing for the storage and diversion of water for public use	452	.....	.....	.....	.....	.....	.....	.....	
228. (Amended.) COMMITTEE ON IRRIGATION AND ARID LANDS: An act relating to irrigation and storage of waters therefor, and granting therefor the right to use certain bed and shore lands belonging to the State, and granting the right of eminent domain therefor with respect to property of individuals and corporations and with respect to state school, granted and shore lands	452	499	538	590	539	.....	.....	.....	.....
229. Senator SUMNER: An act entitled "An act to prevent fraud upon travelers and prescribing where, how, and by whom railroad tickets shall be sold, and providing the terms upon which the redemption of the whole or any part of such tickets as may not have been used shall be made, and prescribing penalties for the violation of this act..	452	551	626	716	627	705	717	721	.....
230. SENATOR TUCKER: An act to amend section 1092, 1093, 1095, 1096, 1097, 1098, 1099 and 1101 of Ballinger's Codes and Statutes of Washington, relating to drainage and sewerage of cities of the second, third and fourth class and declaring an emergency	453	549	647	.....	.....	.....	.....	.....	.....

231. Senator CONDON: An act to establish a fish hatchery on Lake Washington	453	550 607	647	595	647				
232. Senator WILSON: An act to prevent the procreation of weak and diseased children, making it unlawful for any person afflicted with epilepsy, leprosy, syphilis, tuberculosis, insanity, or any contagious or infectious disease to marry any other person, preventing the issuing of a license for persons to marry unless the application is accompanied by a certificate from a resident physician in good standing stating that the persons so applying are not afflicted with any contagious or infectious disease or with insanity	453		628	636	628				
233. Senator BAKER: An act appropriating the sum of ten thousand dollars, or so much thereof as may be necessary, for the expenses of the ninth Legislature	453			453 606	453	599	597	597	601
234. SENATOR MOORE: An act amending the charter of the Grand Lodge of the Fraternal Order of Eagles, changing the name to Grand Aerie Fraternal Order of Eagles, Limited, and making the present grand officers and their sucessors a corporation, and declaring an emergency	454	619							
235. SENATOR MOORE (by request): An act to provide for the improvement of tide lands and adjacent lands in aid of commerce and navigation, providing public facilities for shippers and others, creating a commission therefor, declaring certain laws relating thereto, and declaring an emergency	454								
236. SENATOR RANDS: An act making an appropriation to aid in opening and building a road connecting the School for Defective Youth at Vancouver, Washington, with the county road	454								
237. SENATOR HUTSON: An act authorizing the execution on behalf of the State of Washington of bonds in judicial proceedings, and declaring an emergency	454	554	628	590 678	629	642	685	706	725
238. Senator STANSELL: An act amending section 2, and adding sections 4 and 5, relating to the duties of county assessors, county auditors, county surveyors and county commissioners in certain cases, and providing for the payment of certain surveys, amending an act entitled "An act to provide for the surveying and platting of irregular tracts or lots of land and for a sufficient legal description thereof for revenue and all other purposes," being chapter CXXIV of the Session Laws of 1901, approved March 16, 1901	455	686	615		615				

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

	Read first and second time and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
239. SENATOR RUTH: An act to amend chapter 88 of the Session Laws of 1903, a chapter entitled "An act in relation to exemptions and providing that no property shall be exempted from certain claims".	455	.....	.....	.....	.....	.....	.....	.....	.....
240. SENATOR RUTH: An act to provide for a general and uniform series of school text books for use in the common schools of the State of Washington, including all graded schools, except those in cities of ten thousand or more population, creating a state text-book commission, defining its duties and powers; also providing for text-book commissions in cities of ten thousand or more population, defining their duties and powers, and repealing all laws and parts of laws inconsistent or in conflict with the provisions of this act	455	547	624	624	624	.....	.....	.....	.....
241. SENATOR CLAPP: An act providing for the employment of convicts to establish, prepare and maintain highways, and making an appropriation therefor.....	459	.....	.....	.....	.....	.....	.....	.....	.....
242. (Substitute for S. B. No. 33). COMMITTEE ON IRRIGATION AND ARID LANDS: An act relating to the appropriation of waters of the state for irrigation purposes, granting to the United States the right to exercise the power of eminent domain in acquiring lands, water and other property for right of way, and for reservoirs and other irrigation works, granting to the United States certain rights in state lands and in the waters of the state, relating to water users' associations, and declaring an emergency.....	459	.....	.....	485	.....	.....	.....	.....	.....
243. (Substitute.) COMMITTEE ON JUDICIARY: An act to provide for the publication and sale of the Washington Supreme Court Reports..	459	.....	542	713, 715, 718, 720, 722, 731	542	671	731	731	.....

244. COMMITTEE ON GAME AND GAME FISH: An act providing for the office and appointment of chief deputy game warden and county game wardens, providing for their salaries and relating to game and to the time and manner of killing and disposing of the same and providing a penalty for violation thereof, and declaring an emergency	459	548	614	614	.....	.....	.....	.....	.....
245. SENATOR POGUE: An act providing for the building of a bridge across the Columbia river at or near the city of Wenatchee, and making an appropriation therefor	459	607	673	673	673	.....	.....	.....	.....
246. SENATOR RANDS: An act to provide for the preservation of the forests of this State, for the prevention, control and suppression of forest fires, to create a state board of forest commissioners, providing for a state fire warden and forester, deputy fire wardens, forest rangers, defining their duties and powers, making an appropriation therefor, and providing punishments for the violation thereof and repealing an act entitled "An act to protect from fire forests and other property within the State of Washington, and creating forest fire wardens, deputies, patrolmen and defining the duties and providing penalties and declaring an emergency," approved March 16, 1903	460	519 586	658	562 730	659	710	730	730	.....
247 SENATOR HUTSON: An act to amend section 1 of an act to authorize and regulate the paroling of convicts, approved March 3rd, 1899	460	591	655	.....	655	.....	.....	.....	.....
248. Senator HENRY: An act making an appropriation for the payment of the commissioners of the Lewis and Clark Exposition	460	620	655	716	655	705	717	721	724
249. (Substitute.) COMMITTEE ON JUDICIARY: An act providing for and regulating the selection of jurors in the superior courts of the State; and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict therewith	464	.....	481	711 726 730	481	672	715	728	729
250. SENATOR PALMER (by request): An act fixing the compensation of judges of the supreme court	464	552	.....	.....	.....	.....	.....	.....	.....
251. COMMITTEE ON APPROPRIATIONS: An act making appropriation for legislative expenses	685	685	685	698	685	705	700	694	723

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TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.

NUMBER, AUTHOR AND TITLE	Received from House	Read first and second time, and referred	Report of Committee	Third reading and amendments	Vote on final passage	Other action on bill	Signed by Speaker of House	Signed by President of Senate
2. **Mr. VILAS: A bill for an act to provide for the apprehension, detention, trial, treatment and control of delinquent children of or under the age of sixteen years, and repealing acts inconsistent with this act and declaring an emergency**	211	206	238	259	259	271	291	292
6. (Substitute.) COMMITTEE ON RAILROADS: An act to establish a railroad commission for the State of Washington, whereby discrimination and extortion in railroad and express charges may be prevented and reasonable and just freight and passenger service and tariff may be corrected and established; to authorize the commission to make all necessary rules and regulations for its government, and the carrying into effect the provisions of this act; to give to said commission the power to regulate the sale of railroad tickets, and to correct and provide charges for hauling loaded or empty cars, proper trackage, proper train service, sufficient freight and passenger rooms, and just and reasonable joint rates and demurral charges; to prescribe penalties for the violation of this act, and to provide means and rules for its proper enforcement, and making an appropriation therefor	455	456	458	507	508	.....	599	589
7. **Mr. J. B. LINDSLEY: An act authorizing the assessment of lands held or owned by the State of Washington, within the limits of incorporated cities or towns, for local improvements, and providing for the payment of such assessments**	194	.....	416 618	675	677	478 504 540 559	715	719
13. **Mr. J. B. LINDSLEY: An act to establish an institution for the defective and feeble-minded youth of the State of Washington, providing for the erection and equipment of suitable buildings therefor and making an appropriation, and repealing laws and parts of laws in conflict with this act, and declaring an emergency**	381	387	414	479	480	478 564	599	589

14. Mr. VILAS: An act to provide for the punishment of parents or persons responsible for, or contributing to, the delinquency of children of the age of sixteen years or under	211	206	.....	.....	.....	.....	.....	.....
16. Mr. VILAS: An act relating to banking, and regulating foreign banks and foreign bankers doing business within this state, and providing a penalty	317	323	327	359	359	.....	420	421
19. Mr. J. B. LINDSLEY: An act authorizing the assessment of lands held or owned by any county in the State, within the limits of incorporated cities or towns in such county, for local improvements, and providing for the payment of such assessments	234	242	301	333	333	.....	382	388
20. Mr. J. B. LINDSLEY: An act to amend sections one (1), two (2) and seven (7) of an act entitled "An act to provide for the committing of juvenile offenders to the state reform school at Chehalis," approved March 7, 1891, the same being sections 8524, 8525 and 8530 of Pierce's Washington Code	211	206	238	259	260	.....	291	292
21. Mr. KELLOGG: An act creating the office of State Oil Inspector, providing for his compensation, and providing for the inspection of petroleum and its products, used for illuminating purposes, and providing a penalty for the violation thereof	683	.....	.....	698	698	{698 / 715}	729	730
22. Mr. N E. LINSLEY: An act for the regulation of insurance companies, to take effect immediately upon its passage, and which nullifies all previous laws now on the statute books of the State of Washington There shall be an insurance commissioner appointed under the supervision of the secretary of state to see that the insurance laws are complied with	613	622	673	694	694	.....	716	719
25. (Substitute.) COMMITTEE ON ROADS AND BRIDGES: An act creating the office of and providing for the appointment of a highway commissioner and state highway board and for the survey, establishment and repair of certain state highways, providing for the expenditure by the county commissioners of the counties through which portions of the said highways run all moneys for the improvement of such highways making an appropriation therefor and repealing sections 1, 2, 3, 4, 5, 6, and 8 of an act entitled "An act providing for the survey, establishment and repair of certain state highways and making an appropriation therefor," passed by the House of Representatives March 11, 1903, and by the Senate March 12, 1903, vetoed by the Governor and passed notwithstanding the veto of the Governor by the House of Representatives on the 24th day of January, 1905, and by the Senate on the 26th day of January, 1905	642	643	696	696	697	.....	727	728

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	Received from House	Read first and second time, and referred	Report of Committee	Third reading and amendments	Vote on final passage	Other action on bill	Signed by Speaker of House	Signed by President of Senate
26. Mr. LONG: An act for the relief of Garfield county	211	207	{216 243}	244	244	.....	291	292
28. MESSRS. REITER and VAN SLYKE: An act to provide for the payment by the State, or counties or cities of the premium or charge on official bonds when given by surety companies	318	322	378	428	428	.....	503	507
30. Mr. LONG: An act in relation to estrays, prescribing penalties for the violation thereof	211	207	{237 266}	290	290	.....	337	334
33. Mr. REID: An act providing a method for the assessment and collection of an excise tax from bonding companies doing business in the State of Washington	251	257	.....	.....	.....	.....	.....	.....
35. Mr. REID: An act providing a method for the assessment and collection of an excise tax from express companies doing business in this state	599	612	634	699	699	699	.....	.....
36. Mr. REID: An act creating a state board of tax commissioners, defining its powers and duties	234	242	498	.....	.....	{600 601 602 603 602}	{671 672}	686
38. (Substitute.) COMMITTEE ON IRRIGATION AND ARID LANDS: An act relating to the appropriation of waters of the State for irrigation purposes, granting to the United States the right to exercise the power of eminent domain in acquiring lands, water and other property for rights of way, and for reservoirs and other irrigation works, granting to the United States certain rights in state lands and in the waters of the State, relating to water users' associations, and declaring an emergency	494	503	505	505	.....	{485 504}	557	558
41. Mr. J. B. LINDSLEY: An act to provide for the payment of assessments for local improvements against lots or tracts against which general tax certificates of delinquency are sought to be fore closed	234	242	527	695	695	626	727	728

44. Mr. REITER: An act providing for the incorporation and regulation of live stock insurance companies and associations	285	289	310	353	353	423	433	453
46. (Substitute.) COMMITTEE ON JUDICIARY: An act in relation to larceny and prescribing the punishment for the theft of a bicycle	599	611	.....	.....	.....	.....	.....	.....
47. Mr. KENOYER: An act for the relief of Joseph Canutt	211	207	{216 / 243}	244	245	.....	291	292
48. Mr. J. B. LINDSLEY: An act to amend section 5173 of Ballinger's Annotated Codes and Statutes of Washington, the same being section 1110 of Pierce's Washington Code, relating to costs in civil actions	156	.....	224	246	246	.....	291	292
49. Mr. TWICHELL: An act to amend section 5 of an act entitled "An act to provide for the enrollment of the militia, for the regulation, maintainance and discipline of the National Guard of the State of Washington and for the public defence, and to amend sections 1932, 1933, 1934, 1939, 1955, 1964, 1975, 1991, 2000, 2010 and 2068 and to repeal section 1957 of Ballinger's Annotated Codes and Statutes of the State of Washington, and to amend sections 6, 7, 8 and 11 of an act entitled "An act to amend sections 1926, 1929, 1930, 1950, 1953, 1954, 1963, 1981, 1990, 1992, 1993, 2025, 2028, 2046 and 2061 of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to the Military Code of the State of Washington, providing for courts of inquiry, and declaring an emergency," approved March 16, 1901, and declaring an emergency," approved March 16, 1903	318	324	470	.....	.....	.....	.....	.....
50. Mr. J. B. LINDSLEY: An act relating to the selling, leasing or making contracts concerning its real estate, or granting or renewing franchises or special privileges by incorporated cities or towns, and providing for submitting such question or measure to the voters of such cities or towns	318	320	.....	.....	.....	.....	.....	.....
52. Mr. HENDERSON: A bill for an act to amend section 6 of an act entitled "An act making provisions for the incorporation of cemetery associations, defining their powers, and prescribing a penalty for injury to their property," approved March 6, 1899	211	207	497	.....	.....	563	.....	.....
53. Mr. MCVAY: An act to enable counties, cities and towns to validate certain warrants and other obligations and evidences of indebtedness of the part of such counties, cities and towns, issued by the corporate authorities thereof in excess of their legal authority, and declaring an emergency	381	388	468	{513 / 540}	540	{598 / 645}	683	685

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	*Received from House*	*Read first and second time and referred*	*Report of Committee*	*Third reading and amendments*	*Vote on final passage*	*Other action on bill*	*Signed by Speaker of House*	*Signed by President of Senate*
54. Mr. FROSTAD: An act to amend sections 5 and 6 of "An act to provide against the adulteration of food and fraud in the sale thereof; creating a state board of food commission, defining their duties and providing for the appointment of an officer to be known as the state dairy and food commissioner; providing for the enforcement of the law and fixing a penalty for violation thereof; making an appropriation, declaring an emergency, and repealing "An act to provide against the adulteration of food; approved March 13, 1899," approved March 17, 1901, the same being sections 5327 and 5328 of Pierce's Code								
55. Mr. N. E. LINSLEY: An act to create a state fish hatchery on the Little Spokane River in Spokane County, State of Washington, for the propagation and distribution of trout, bass and other game fish in the State of Washington	228	232	328	371	399	.....	503	507
57. Mr. ROTH: An act making a deficiency appropriation for the state oyster board of the State of Washington	355	367	526	666	666	666	706	695
59. Mr. MINARD: An act providing for the amendment of section 1 of article XXI of the Constitution of the State of Washington, entitled "Water and Water Rights," by enlarging the public use of the water of this state so as to include the removal of timber products	251	257	297 310	355	355	306 354 423	420	421
62. Mr. STEVENSON: An act for the relief of Skamania county and making an appropriation therefor	318	322	446	514	514	.....	557	558
64. Mr. HOCH: An act giving to county commissioners the power to grant certain public utility franchises on county roads and streets outside of incorporated towns and cities, and confirming such privileges heretofore granted and declaring an emergency	285	288	551	661 662	661 662	.....	683	685
	482	502	524	662	662	.....	706	695

67. Mr. SCOTT: An act amending section 2904 of Pierce's Code of Washington, same being section 6561 of Ballinger's Annotated Codes and Statutes of Washington	170	171 197	195	212	212	221	222	222
69. Mr. BLACKMORE: An act to establish a fish hatchery on the east fork of Lewis river	381	386	593	705	705	.....	729	730
70. (Substitute.) COMMITTEE ON APPROPRIATIONS: An act relating to the payment of assessments made on state, school, granted and other lands for the purpose of drainage, and amending section 4594 of Pierce's Code, and making an appropriation therefor, and declaring an emergency	381	387	527	701	702	715	728	728
71. Mr. TWICHELL: An act to amend sections 1362 and 1394 of Ballinger's Codes and Statutes of the State of Washington relating to elections	234	242	347	397	398	.....	433	453
72. Mr. TWICHELL: An act to amend sections 2, 13 and 14 of an act entitled "An act to provide for and to regulate the registration of voters in cities and towns, and in precincts having a voting population of two hundred and fifty (250) or more," approved March 27, 1890; section 1 of an act entitled "An act amending sections 1451 and 1453 of Ballinger's Codes and Statutes of Washington, relating to the registration of voters," approved March 12, 1903; section 3 of an act entitled "An act declaring the qualification of electors and governing the registration of voters, and amending sections 1445, 1455, 1456, 1454, 1393, 1391 and 1373 of Ballinger's Annotated Codes and Statutes of Washington, and carrying into effect the provisions of section 1, article VI of the Constitution of the State of Washington," approved March 18, 1901	355	367	414 592	700	700	715	731	731
76. Mr. LAMBERT: An act relating to fees to be collected by the secretary of state and repealing an act entitled "An act fixing the fees to be paid to the secretary of state by corporations doing business in this state, and declaring an emergency," approved March 13, 1897, and declaring an emergency	597	611	.....	.....	.....	.....	.....	.....
79. Mr. MCGREGOR: An act to amend section 1 of an act entitled "An act to amend section 1 of and adding section 2 1-2 and section 4 1-2 to an act entitled "An act providing for the creation of the office of state veterinary surgeon and defining his duties," approved March 22, 1895	318	321	415	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	Received from House.....	Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House...	Signed by President of Senate.
81. Mr. BLAKER: An act empowering boards of county commissioners to make exhibits of the products of their respective counties at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, 1905, at Portland, Oregon, and to appropriate money from the county current expense fund to meet the expenses of such exhibits, and declaring an emergency	234	258	.....	258	258	....	291	292
82. Mr. SMITH: An act to change the name of the Washington Agricultural Experiment Station and School of Science to the State College of Washington	339	332	382	429	429	383	503	507
83. Mr. STILSON: An act preventing the sale of lands set apart for the use, support, establishment, maintainance and endowment of the State Agricultural College and School of Science without the consent of the board of regents of said college	250	258	280	.....	....	.....	.....	.....
84. Mr. RUDIO: An act requiring holders of delinquent tax certificates to make, in proceedings for the foreclosure of such certificates, the holders of municipal improvement bonds, parties defendant and serve them with notice of such foreclosure proceedings in certain cases	285	289	{ 498 } { 619 }	.....	....	....	.....	.....
88. Mr. J. B. LINDSLEY: An act amending section 3034 of Pierce's Code, being section 6754 of Ballinger's Annotated Codes and Statutes of Washington, relating to appeals to Superior Courts	211	207	252	260	{ 260 } { 292 }	{ 278 } { 279 }	319	348
90. Mr. HUGHES: An act for the relief of John H. Willms, and authorizing the commissioner of public lands of the State of Washington to relinquish on behalf of the State of Washington, for the benefit of John H. Willms, the south half of the south half of section 36, township 25, north of range 22 east of the Willamette Meridian	318	323	.....	359	359	323	420	421

92. Mr. MINARD: An act to amend sections 23, 24, 30, 137, 145 and 175 of an act entitled "An act to establish a general, uniform system of public schools in the State of Washington, and repealing chapter VI of title III, chapter VII of title V, all of title X, except chapter XVII, chapter IV of title L, all being of volume 1 of Hill's Annotated Statutes and Codes of Washington; also repealing all amendments thereto; also repealing an act entitled 'An act concerning the formation of new school districts, changing the boundaries and transferring territory from one district to another,' approved March 9, 1893; also repealing an act entitled 'An act to provide for the management and control of state normal schools in the State of Washington,' approved March 10, 1893, and all amendments thereto; also repealing an act entitled 'An act granting to school districts the right to purchase school house sites of school lands belonging to the State of Washington of not less than one acre and not more than five acres, and granting to school districts the preference right to purchase such sites, and declaring an emergency,' approved February 26, 1895; also repealing an act entitled 'An act relating to the indebtedness of school districts, providing means and methods for paying and funding the same, and means for validating the same or any part thereof incurred in excess of one and one-half percentum of the taxable property of the school district without the assent of three-fifths of the voters of the school district voting at an election held for that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approval by the governor,' approved March 1, 1895; also repealing an act entitled 'An act to provide for the formation of joint school districts, and to prescribe the minimum number of school children required for the formation of new school districts, and declaring an emergency,' approved March 13, 1885; "said act of which this act is amendatory, being known and cited as the code of public instruction of the State of Washington, and being chapter CXVIII of the Session Laws of 1897, approved March 19th, 1897"	285	289	328	370 462	371 463	372 424 494	538	543
93. Mr. MINARD: An act appropriating funds for the relief of Dora W. Cryderman, Rose Morgan, Emma Tuttle, Mrs. C. H. Funk, Mrs. H. C. Blackmore, C. Will Shafer and Etta Arland	211	207	216 243	245	245	271	291	292
95. Mr. VILAS: A bill for an act in relation to spendthrifts and drunkards	381	385	591	.....	.....	.....	.....	.....
96. (Substitute.) COMMITTEE ON MUNICIPAL CORPORATIONS OF FIRST CLASS: An act relating to justices of the peace and constables in cities having a population of more than thirty-five thousand (35,000) inhabitants, providing for their election and appointment, fixing their salaries and declaring an emergency	494	503	595	668	668	.....	706	695

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	Received from House.....	Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House...	Signed by President of Senate.
99. Mr. BASSETT: An act to amend chapter 97 of the Session Laws of 1903, being "An act providing for the incorporation and regulation of mutual fire insurance companies".....	381	385	496	540	540	.....	598	589
100. Mr. LEE A. JOHNSON: An act creating the office of chaplain of penitentiary, prescribing his duties, fixing his compensation and declaring an emergency	228	232	265, 321	291, 356	357	292, 352, 382	433	453
102. Mr. J. B. LINDSLEY: An act to enable cities of the first, second and third classes, and other cities and towns working under special charters, having sufficient population to authorize them to re-incorporate under the laws of the State of Washington, as cities of the first, second or third class, to exercise the right of eminent domain for the taking and damaging of land and property for public purposes, providing a method for making compensation therefor, and providing for special assessments in certain cases upon property benefitted, and declaring an emergency	285	290	299	335, 389	341, 368, 390	.....	538	543
103. Mr J. B. LINDSLEY: An act relieving cities and towns from liability for death or damage to person or property upon streets, alleys or other public places which have not been improved and opened to public travel	234	242	303	.....	.....	.....	.....	.....
106. Mr. RUDENE: An act relating to the punishment of the crime of seduction, and amending section 7066 of Ballinger's Code and Statutes of Washington	250	258	302	334	334	382	420	421
110 Mr. CHAS. JOHNSON: An act to amend section one (1) of chapter forty-seven (47) of the Laws of 1903, providing for a closed season for trout fishing in the lakes and streams of Chelan county, and declaring an emergency	337	331	345	397	397	.....	503	507

113. Mr. GLEASON: An act authorizing associations and companies owning cemeteries to accept trust funds, the income therefrom to be used in the betterment, care and improvement of such cemeteries	318	320	554	682	682	.....	714	714
115. (Substitute.) COMMITTEE ON MUNICIPAL CORPORATIONS OF THE FIRST CLASS: An act to regulate plumbing in cities having a population of ten thousand inhabitants or over, providing for the licensing of persons to carry on the business and work of plumbing, creating a board of plumbing examiners, fixing the compensation of plumbing examiners, providing a penalty for the violation hereof and repealing all acts in conflict herewith	381	385	415	482	482	.....	557	558
117. Mr. CLARKE: An act fixing the salaries of county commissioners in counties of the first-class and amending section 1 of an act entitled "An act to amend sections 3 to 31, both inclusive, of an act entitled 'An act classifying the counties according to population, enumerating the county officers, fixing the salaries thereof, providing for deputies, collection of fees and payment of salaries,'" said section hereby amended being section 1 of chapter CLXI of the Session Laws of 1895, amendatory of chapter 10 of the Laws of 1890, and approved March 20, 1895 (being the same as section 4007 of Pierce's Code of the Laws of Washington)	228	231	269	277	277	319	319	348
120. Mr. GLEASON: A bill to establish a board of commissioners for the promotion of uniformity of legislation in the United States	318	321	379	429	429	494	538	543
124. Mr. LEVIN: An act in relation to savings banks, savings and loan societies, and institutions in which deposits of money are made and interest paid thereon	318	320	523	670	670	714	728	728
126. Mr. BOLINGER: An act to establish a state fish hatchery on the upper Methow river, or some of its tributaries in Okanogan county, in the State of Washington	381	385	525	667	667	656	683	685
129. Mr. GEO. L. DAVIS: An act providing for the protection and health of employes in factories, mills or workshops, where machinery is used, and providing for suits to recover damages sustained by the violation thereof, and repealing an act entitled "An act providing for the protection of employes in factories, mills or workshops where machinery is used, and providing for the punishment of the violation thereof," approved March 6, 1903, and repealing all other acts or parts of acts in conflict herewith, and declaring an emergency	522	529	.....	562	{529 562}	.....	598	589

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	*Received from House*	*Read first and second time, and referred*	*Report of Committee*	*Third reading and amendments*	*Vote on final passage*	*Other action on bill*	*Signed by Speaker of House*	*Signed by President of Senate*
130. (Substitute.) COMMITTEE ON AGRICULTURE: An act to prohibit all live stock from running at large in any county and portion of a county in the State of Washington in which three-fourths of the lands therein are under fence and providing a penalty for the enforcement of the act	381	388	447	515	{515 625}	{515 545 625}	641	647
131. Mr. KENOYER: An act to repeal an act entitled "An act to amend section 1, (Pierce's Code, section 3921) of an act entitled 'An act to provide for annexing certain territory to a neighboring county to which it is contiguous,' and to repeal section 10 of said act approved March 9, 1891," approved by the Governor March 16, 1903	318	322	.....	339	340	{339 382}	420	421
132. Mr. DAWES: An act for the relief of Henry Somers, and making an appropriation therefor	564	582	609	707	707	.....	728	728
135. Mr. MCCOY: An act creating a fund to be known as the public highway fund and making provision for an annual levy to produce revenue therein for the construction and repairs of highways and bridges	317	323	526	660	661	714	727	728
136. (Substitute.) COMMITTEE ON JUDICIARY: An act to provide for sheriff's fees for serving warrants of arrest and making arrests in criminal cases	318	321	379	.. ....	.....	.....	.....	.....
140. Mr. MCNICOL: An act concerning wages of labor and amending sections 1 and 3 of "An act to provide for the payment of wages of labor in lawful money of the United States and to punish violations of the same," approved February 2, 1888	381	387	496	564	565	648	672	715
141. Mr. HARE: An act to amend an act entitled "An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, fixing maximum tolls therefor." Approved March 18, 1895	564	581	617	688	688	.....	714	714

146. Mr. REID: An act entitled an act to amend section 5 of "An act to amend sections 4, 5, 9 and 10 of an act entitled "An act providing for the assessment and collection of taxes of cities of the first-class and specifying the duties of certain county officers in regard thereto and declaring an emergency," approved March 9, 1893, approved March 21, 1895	339	333	633	696	696	.....	728	728
147. Mr. REID: An act entitled an act to amend section 64 of "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897	318	324	635	696	696	.....	728	728
150. Mr. ROTH: An act relating to maintenance, repair and renewal of sidewalks in cities of the first, second, third and fourth-class, and other cities of equal population working under special charters, and providing for the payment thereof by the owners of abutting property and declaring an emergency	250	258	301	334	335	382	420	421
152. Mr. RUDIO: An act regulating automobiles, motor vehicles or motor cycles on public roads, highways, park or parkways, streets or avenues, within the State of Washington	317	323	449 550	683	684	514 715 717 718 719 723 724	731	731
153. Mr. WEBER: An act to amend an act entitled "To declare certain persons habitual drunkards, and to protect them and others in person and property," being chapter XX volume 2 of Ballinger's Codes of the State of Washington	564	580	591	.....	.....	.....	.....	.....
154. (Substitute). COMMITTEE ON JUDICIARY: An act to secure and perpetuate liens upon chattels for labor, skill and material expended thereon, and providing for the enforcement thereof	381	386	468	513	513	.....	597	589
155. Mr. FALCONER: An act to provide for state depositories, and regulate the deposits of public moneys therein	285	289	.....	.....	.....	.....	.....	.....
156. Mr. DAWES: An act altering and prescribing the rule of inheritance of descent of certain real and personal property in certain cases	381	388	.....	.....	.....	.....	.....	.....
157. Mr. DICKSON: An act relating to the sale and manufacture of dairy product and to amend section 9 of and by adding thereof sections 33, 34, 35, 36, 37, 38, 39, 40 and 41 of an act entitled "An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same, or imitation thereof, providing for the appointment of a dairy commissioner and defining his duties, creating a state board of commissioners and defining their duties, imposing certain duties upon a chemist of state institutions, providing penalties for violation of the law, making an appropriation"	381	385	471	510	511	599 614	641	647

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	Received from House.....	Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House...	Signed by President of Senate.
158. Mr. REID: An act to amend section 6 of "An act to provide for the assessment and collection of taxes in municipal corporations of the third and fourth-class in the State of Washington and declaring an emergency." Approved March 9, 1893.....	339	332	633	699	699	.....	715	719
161. Mr. WILLIAMS: An act providing for the reappraisment of the tide lands in front of and adjacent to the city of South Bend, in the county of Pacific, State of Washington.....	494	504	562	692	692	.....	713	714
164. Mr. THEURER: An act to amend section 4 of an act approved March 18, 1895, entitled "An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls therefor as amended by chapter XXXI of the laws of 1897, approved March 4, 1897, entitled "An act to amend section 4 of an act approved March 18, 1895, entitled "An act to provide for the organization and incorporation of companies for clearing out and improving rivers and streams in this state, and for the purpose of driving, sorting, holding and delivering logs and other timber products thereon, and fixing maximum tolls thereon"	228	232	329	462	462	370 372 425 494	538	543
167. Mr. REID: An act amending an act entitled "An act to amend section 1657 of Ballinger's Annotated Codes and Statutes of Washington relating to revenue and taxation," passed the Senate and House June 12, 1901, notwithstanding the veto of the Governor.....	285	289	301 302	.....	.....	.....	.....	.....
168. Mr. LEE A. JOHNSON: An act to amend sections 1, 4, 5, 6, 7, 8, 12, 14, 15, 16, 17 and 18 of an act entitled "An act to promote the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commissioner of horticulture; to repeal certain laws in conflict therewith, and to provide penalties and punishment for its violation and declaring an emergency," approved March 16, 1903.....	642	643	.....	.....	.....	715	731	731

170.	Mr. WILLIAMS: An act to amend section 14, chapter 166, Session Laws, 1903, of an act entitled "An act to create a state oyster commission, and defining its duties and powers, to provide for the protection and management of the state oyster land reserves, to create a fund to be known as the oyster fund, providing for the issue of license to take oysters from the state oyster land reserves, providing for a penalty for violation of the provisions of this act, making an appropriation and declaring an emergency".....	597	610	635	707	707	.....	727	728
172.	Mr. MEGLER: An act directing the sale of the following described land: "Beginning on the north bank of the Columbia river at a point 10 rods east of the section line between sections 17 and 18, township 9 north, range 9 west of W. M.; thence north 6 rods; thence west two rods; thence north 14 rods; thence west 18 rods; thence south 20 rods, to the bank of the Columbia river; thence east along the meanders of said river to the place of beginning, being 2.50 acres in sections 17 and 18, township 9 north, range 9 west of W. M., and making an appropriation therefor.....	285	290	349, 357	357	357	357, 371	382	388
173.	Mr. N. E. LINSLEY: An act providing for the amendment of section two (2) of article seven (7) of the Constitution of the State of Washington, to provide for the taxation of mines and mining claims	599	609	638	.....	.....	.....	.....	.....
176.	Mr. BOWERS: An act to regulate the width of tires of wagons to be used on the public highways of the State of Washington.....	339	332	450	.....	.....	514	.....	.....
177.	Mr. KEYES: An act amending sections 215, 220, 221, 222 and 223 of the Code of Public Instruction relating to the normal schools..	381	388	448	514	514	.....	597	589
182.	Mr. MINARD: An act relating to the compulsory attendance of children between the ages of eight and fifteen years in the public schools of the State of Washington, and repealing all laws and parts of laws in conflict herewith....	317	324	447, 616	504, 669	505, 669	517, 545, 715	729	730
185.	Mr FROSTAD: An act providing for the rate of interest to be paid on certain bonds of Island County, and owned by the State of Washington	339	333	497	560	560	.....	599	589
186.	Mr. RATCLIFFE: An act for the relief of P. Hanson, Spokane County, State of Washington, and making an appropriation therefor....	599	611	.....	693	693	.....	.....	.....
187.	Mr. RATCLIFFE: An act for the relief of R. Stevenson of Spokane County, State of Washington, and making an appropriation therefor	599	611	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	Received from House	Read first and second time, and referred	Report of Committee	Third reading and amendments	Vote on final passage	Other action on bill	Signed by Speaker of House	Signed by President of Senate.
193. Mr. COATE: An act requiring sleeping car companies to pay a privilege tax and compelling reports of mileage run by such companies	494	503						
197. Mr. LAMBERT: An act to amend an act "An act to amend an act entitled 'An act in relation to garnishment in justice's courts,'" approved March 12, 1903, being chapter 64 of the Acts of 1903....	339	332						
198. Mr. IRVING: An act providing for the amendment of section 16 of article one (1) of the Constitution of the State of Washington, relating to the exercise of the power of eminent domain	318	322	380	480	481	430	557	558
199. Mr. MCGREGOR: An act to amend section 1 of and adding section 1½ to an act entitled "An act prohibiting the importation of horses, cattle and swine, unless accompanied by certificate of health and permit from some official veterinarian, excepting animals intended for exhibiting, providing for its enforcement, and fixing a penalty for its violation"	482	502	548	686	686	714	728	728
201. Mr. GEO. L. DAVIS: An act to provide for a close season for razor clams in the Pacific Ocean Beach in the State of Washington for the purpose of sale or canning and fixing a penalty for the violation of the same and declaring an emergency	381	386	593	647 651	650 651	695 714	729	730
202. Mr. BARTLETT: An act to establish and maintain a state fish hatchery on Chimacum Creek, or some of its tributaries, in Jefferson County, Washington, and making an appropriation therefor...	381	386	525	667	667	656	683	685
203. Mr. IRVING: An act relating to the incorporation, management and powers of companies having for their object the building of toll logging roads, chutes, waterways, and other ways for the transportation of logs and other timber products, and conferring on such companies the power of eminent domain and declaring an emergency.	318	321	469	512	513	554	599	686

208. Mr. McCoy: An act to provide for the purchase of additional land adjoining the grounds upon which is located the buildings of the State Reform School and making an appropriation therefor.....	642	643	.....	704	704	.....	727	728
214. By Committee on Appropriation: An act making an appropriation for the use of the division of public documents of the state library, and declaring an emergency	285	289	311	355	356	354	420	421
216. Mr. Roth: An act to amend sections 4 and 9 of an act of the Legislature of the State of Washington, approved March 13, 1899, entitled "An act providing for the protection and propogation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws and declaring an emergency," and declaring an emergency.....	564	581	594	646	646	{595 678}	716	719
219. Mr. Booth: An act amending sections 2, 5, 7, 11 and 12 of an act entitled "An act defining forcible entry, forcible detainer and unlawful detainer of real property, and providing remedies therefor by summary proceedings," approved March 7, 1891.....	318	320	418	483	483	.....	597	589
221. Mr. Fenton: An act making appropriation for certain deficiencies for the fiscal period ending March 31, 1905.....	694	689	.....	709	709	.....	728	728
223. Mr. Lee A. Johnson: An act for the relief of L. O. Meigs of Yakima County, State of Washington, and making an appropriation therefor	339	332	414	.....	.....	.....	....	.....
225. Mr. Dyke: An act for the relief of S. P. Carusi, of Clallam County, State of Washington, and making an appropriation therefor....	318	323	415	....	.....	.....	.....	.....
226. Mr. Minard: An act to amend sections 77, 78, 92, 95, 97, 119 and 120 of an act entitled "An act to establish a general uniform system of public schools in the State of Washington, said act of which this act is amendatory, being known and cited as the code of public instruction of the State of Washington, and being chapter CXVIII of the Session Laws of 1897, approved March 19, 1897.....	381	387	447	{506 681}	{506 681}	{517 545}	716	719
227. Mr. Falconer: An act relating to the issuing of licenses by counties, cities and towns for the sale or disposal of spirituous, fermented, malt or other intoxicating liquors, and providing for the payment to the state of its proportionate share of the license fee....	317	324	582	694	695	.....	713	714
228. Mr. McCoy: An act relating to the taxing of timber when sold separate and distinct from the land.....	482	501	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	House..... Received from	Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House...	Signed by President of Senate.
231. Mr. STROBRIDGE: An act appointing county clerks guardians of the estate of insane persons whose estate are less than $200, and declaring an emergency	318	321	417	.....	.....	.....	.....	.....
237. Mr. BOOTH: An act providing for the payment to lessees of tide lands belonging to the state, by subsequent lessees or purchasers from the state, of all improvements placed upon such tide lands, including the cost of filling in and raising such tide lands above high tide and all assessments for local improvements levied against the same, and declaring an emergency.....	597	611	631	702	702	....	728	728
238. Mr. BOOTH: An act relating to changing corporate names of corporations	599	.....	619	.....	.....	619	683	685
239. Mr. STILSON: An act to amend section 340 of Ballinger's Annotated Codes and Statutes of the State of Washington, same being section 4121 of Pierce's Washington Code, relating to mileage and expenses of county commissioners	318	320	{524 547}	687	687	....	714	714
240. Mr. LAMBERT: An act to prevent fish stealing and prescribing penalties therefor	613	622	639	.....	.....	.....	.....	.....
241. Mr. GRIFFIN: An act providing for the protection of shrimp in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses and fixing penalties.....	613	622	639	.....	.....	.....	.....	.....
244. Mr. REID: An act relative to the admission in evidence of tax deeds....	564	581	618	700	700	699	715	719
248. Mr. TWICHELL: An act amending section 4576 of Ballinger's Annotated Codes and Statutes of Washington relating to contracts and providing that certain contracts shall be void unless in writing	381	387	417	483	483	.....	538	543

250. Mr. CRANE: An act for the relief of the holders of warrants drawn upon the "State Normal School fund" provided for by an act of the Legislature approved March 7, 1895; authorizing the issuance of state bonds therefor and their sale to the permanent school fund; authorizing the levy of an annual tax to redeem such bonds, and declaring an emergency	455	456	582 583	682	682	.....	.....	.....
251. Mr. BRADLEY: An act to establish and maintain state fish hatcheries on the Skagit river or other suitable streams tributary to Skagit river, Skagit county, Washington, and making an appropriation therefor	381	386	525	666	666	656	683	685
252. Mr. RUDENE: An act to amend sections 3 and 27 of an act entitled "An act to provide for the establishment and creation of diking districts, and the construction and maintenance of a system of dikes, and to provide the means of payment therefor, and declaring an emergency," approved March 20, 1895, same being sections 4484 and 4508 of Pierce's Code of the State of Washington	381	387	448	508	509	554	597	589
254. Mr. DYKE: An act to provide for a close season for crabs in the State of Washington, to prohibit the sale of cunning thereof, and fixing a penalty for the violation thereof	482	501	593	646	646	595 714	728	728
256. Mr. FANCHER: An act to provide for the sending of non-resident insane persons to their place of residence at the expense of the State	482	501	608	706	706	.....	727	728
257. Mr. MINARD: An act for the relief of P. M. Troy, James B. Murphy, and J. B. Bridges, comprising the examining board to conduct examinations of applicants for admission to the bar, and making an appropriation therefor	599	610	639	708	708	.....	728	728
258. Mr. BASSETT: An act to provide for the formation of banking corporations and to regulate the business of banking and securing state supervision thereof; for the appointment of a bank commissioner, defining his duties, fixing his compensation and making an appropriation therefor	597	610	629	.....	.....	629	.....	.....
261. Mr. REITER: An act to amend section 3 of an act entitled "An act to define and punish the crime of arson and attempted arson and declaring an emergency," approved March 18, 1895	564	581	619	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	Received from House	Read first and second time, and referred	Report of Committee	Third reading and amendments	Vote on final passage	Other action on bill	Signed by Speaker of House	Signed by President of Senate
262. Mr. MORGAN: An act to amend sections 1 and 8 of an act entitled: "An act creating a bureau of labor, defining its duties, abolishing the office of assistant labor and factory, mill and railway inspector, repealing chapter XXIX of the Laws of 1897; making an appropriation, and declaring an emergency," approved March 16, 1901, and declaring an emergency	522	528	.....	561	529 561	.....	598	589
272. Mr. REITER: An act relating to peddlers and vendors of merchandise, providing for licensing the same and prescribing a penalty for violation thereof	613	621	625	669	669	716 717 718 721 723 732	729	729
276. Mr. WHEELER: An act to amend section 1 of an act entitled "An act amending section 1 of an act entitled "An act authorizing cities and towns to construct, condemn and purchase, acquire, add to, maintain, conduct and operate waterways, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways, with all land and property required therefor, providing for payment therefor, repealing an act entitled an act relating to and authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor and declaring an emergency; approved February 10, 1893, and declaring an emergency; approved March 17, 1897, being section 1 of chapter 112 of the Session Laws of the State of Washington for 1897," approved March 14, 1899	381	386	416 449	509 681	509 681	431 432 537 545 715	729	730
278. Mr. N. E. LINSLEY: An act providing for the rights of way and easement for the development of mines and mining properties	613	622	632	... .	.....	.....	.....	.....
281. Mr. TWICHELL: An act to define the practice of veterinary medicine, surgery and dentistry in the State of Washington; to regulate the same and to provide penalties for a violation thereof	613	621	638	.....	.....	.....	.....	.....

284. Mr. HOCH: An act to provide for the certifying, by clerks of cities and towns, to the county auditors of their county for record a copy of ordinances effecting part or portions of recorded plats of cities or towns, and providing a penalty for the violation thereof.....	564	581	618	.....	.....	.....	.....	.....
288. Mr. KELLOGG: An act amending section 4828 of Ballinger's Annotated Codes and Statutes of Washington, in relation to the recovery of damages for the death of a person caused by the wrongful act or the neglect of another.....	613	622	.....	.....	.....	.....	.....	.....
290. Mr. BASSETT: An act relating to the liability of a bank to a depositor in case of forgery.....	564	580		.....	.....	.....	.....	.....
291. COMMITTEE ON MILITARY AFFAIRS AND SOLDIERS' HOME: An act to amend sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to provide for the relief of indigent Union and Mexican war soldiers, sailors and marines, and the families of those deceased or indigent, and to defray funeral expenses," being sections 2640, 2641, 2642, 2643, 2644, 2645 and 2646 of Ballinger's Annotated Codes and Statutes of Washington, same being sections 8061, 8062, 8063, 8064, 8065, 8066 and 8067 of Pierce's Washington Code, and that the title to said act be and the same is hereby amended to read as follows: "An act to provide for the relief of indigent Union, Spanish-American and Mexican war soldiers, sailors and marines and the families of those deceased or indigent, and to defray funeral expenses"	613	621	632	.....	.....	.....	.....	.....
297. Mr. REID: An act relating to revenue and taxation.....	494	504	640	708	708	715	727	728
303. Mr. WEBER: An act to exempt bequests and devises when made for charitable purposes from the payment of any tax or sum under any inheritance tax law, and remitting any such tax claimed to be due on such bequest or inheritance.....	482	502	552 553	686	686	.....	705	695
306. Mr. STROBRIDGE: An act relating to elections, providing for the nominations of candidates for public office by direct vote, prescribing penalties for the violations thereof, and repealing sections 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512 and 1513 of volume 1 of Ballinger's Annotated Codes and Statutes of Washington.....	646	.....	.....	.....	.....	658	.....	.....
308. Mr. MCVAY: An act amending section 1117 and 1118 of Ballinger's Annotated Codes and Statutes of the State of Washington relating to local improvements by special assessments, and declaring an emergency	597	610	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	Received from House.....	Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House...	Signed by President of Senate.
312. Mr. GLEASON: An act to amend section 6480 of Ballinger's Annotated Codes and Statutes of Washington (being section 2801 of Pierce's Washington Code), relating to the adoption of legal heirs..	564	581	617	704	704	715	728	728
313. Mr. VAN SLYKE: An act granting to boards of county commissioners the power to create game reserves on certain islands within their respective counties, making it unlawful to take game from such reserves and prescribing a penalty for a violation thereof.....	672	688	.....	701	701	715	728	728
323. Mr. KEYES: An act for the protection of bicycle paths in public highways, and declaring an emergency.....	642	643	.....	.....	.....	.....	.....	.....
325. Mr. STROBRIDGE: An act to amend sections 13 and 15 of an act entitled "An act relating to the taxation of inheritances and providing for disposition of same," approved March 6, 1901.....	599	612	616	648	648	.....	683	685
327. Mr. COATE: An act to amend section 1 of an act entitled "An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes, and the manner of the expenditure thereof, and providing for the division of counties into road districts, and the appointment of supervisors thereof, and repealing all acts and parts of acts in conflict herewith," approved March 16, 1903, being chapter 119 of the Session Laws of 1903; and declaring an emergency	597	610	633	668	668	714	728	728
330. Mr. DOOLITTLE: An act in relation to poisons and prohibiting the combination of poisonous substances with crackers, bread or other preparations in any manner resembling or in similitude of any edible product, and prescribing penalties for its violations.....	599	610	633	706	706	.....	716	719
334. Mr. HENDERSON: An act relating to damages by fire caused or set by steam engines and cars, defining the liability of the owners of such engines and cars, and prescribing the rule of evidence in such cases	613	622	640	.....	.....	.....	.....	.....

336. Mr. BENN: An act relating to foreclosure of assessments for local improvements in cities of the third and fourth classes	482	502	550	687	687	.....	714	714
337. Mr. MEGLER: An act amending sections 6, 7 and 7½ (same being sections 5278, 5279 and 5280 of Pierce's Washington Code) of an act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency, approved March 13, 1899; repealing section 5 (being section 5277 of Pierce's Washington Code); also amending an act to amend section 8 (being section 5281 of Pierce's Code of Washington) of an act entitled "An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catch and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency," approved March 16, 1903, and declaring an emergency	494	501	{524 / 595}	630	{630 / 674}	{595 / 642 / 648 / 674}	729	730
339. Mr. BOWERS: An act providing for the levy and manner of payment of road, bridge, poll and property taxes, and the manner of expenditure thereof, and providing for division of counties into road districts and the appointment of road overseers thereof, and repealing all acts and parts of acts in conflict herewith	642	643	.....	648	648	644	.....	.....
340. Mr. SCOTT: An act making it a misdemeanor to sell or exchange property under the representation, advertisement, notice or inducement that an unidentified, unknown, unselected, or chance **prize**, premium or premium gift, or that a stamp, trading stamp, **coupon** or other like device, entitling the holder to receive such a **prize**, premium or premium gift, or that the redemption of such a **stamp**, trading-stamp, coupon or other like device so given is to be **part** of the transaction, or to sell or exchange any trading stamp, **stamp**, coupon, or other like device to aid such sale or exchange, as **aforesaid**, and providing a penalty therefor	{553 / 564}	582	.....	675	675	714	728	728
341. Mr. SCOTT: An act to amend section 1 of an act entitled "An act relating to the duties of state treasurer, fixing his salary and providing punishment for violations of this act, and declaring an emergency," approved March 28, 1890	657	.....	.....	.....	.....	658	.....	.....
347. Mr. ROTH: An act authorizing the Governor to appoint three suitable persons to report upon the condition of the state, school and granted lands and to the best method of their disposition	642	642	.....	.....	.....	642	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.—CONTINUED.

NUMBER, AUTHOR AND TITLE	Received from House	Read first and second time, and referred	Report of Committee	Third reading and amendments	Vote on final passage	Other action on bill	Signed by Speaker of House	Signed by President of Senate
359. Mr. VILAS: An act to amend section 1 of an act entitled "An act to amend sections 3 to 31, both inclusive of an act entitled 'An act classifying the counties according to population, enumerating the county officers, fixing the salaries therefor, providing for deputies, collection of fees and payment of salaries,' received by the Governor March 26, A. D. 1890," approved March 20, 1895, the same being section 1565 of Ballinger's Annotated Codes and Statutes of the State of Washington	564	580	608	.....	.....	703	.....	.....
361. Mr. DOOLITTLE: An act amending section 2 of an act entitled "An act authorizing cities and towns to construct, condemn and purchase, acquire, add to, maintain, conduct and operate water works, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways, with all land and property required therefor, providing for payment therefor, repealing an act entitled 'An act to and authorizing cities and towns to purchase, contract and maintain water works, systems of sewerage, gas and electric light plants and to issue bonds to pay therefor, and declaring an emergency,' approved February 10, 1893, and declaring an emergency"	613	621	639	.....	.....	.....	.....	.....
367. Mr. BLACKMORE: An act to change the name of the state institution located at Vancouver, Washington, from "State School for Defective Youth" to "State School for the Deaf and Blind"	683	688	.....	703	703	.....	716	719
371. COMMITTEE ON GAME AND GAME FISH: An act providing for a closed season for trout in Trout creek, Ferry county, for the protection of trout and other game fish, repealing chapter 150 of the Laws of 1901, chapter 108 of the Laws of 1903, and all other acts or parts of acts in conflict with this act, providing a punishment and declaring an emergency	672	.....	.....	.....	.....	.....	.....	.....
372. Mr REID: An act regulating the keeping and deposit of public funds in the banks by the several county treasurers of this State	642	643	.....	.....	.....	.....	.....	.....

375. COMMITTEE ON APPROPRIATIONS: An act providing for the transportation of convicts to the state penitentiary, transportation of insane persons to the hospital for the insane, and of incorrigibles to the state reform school, repealing laws inconsistent with this act and declaring an emergency.....	599	611	632	691	692	.....	714	714
377. Mr. GLEASON: An act to prevent the acceptance of gifts, bonuses or commissions by agents, employes and officers.....	642	688	.....	703	703	.....	728	728
396. COMMITTEE ON GAME AND GAME FISH: An act providing for the office and appointment of chief deputy game warden and county game wardens, providing for their salaries and relating to game and to the time and manner of killing and disposing of the same and providing a penalty for violation thereof.....	672	691	691	691	691	.....	728	728
397. (Substitute.) JOINT COMMITTEE ON APPROPRIATIONS: An act making appropriations for the maintenance of and sundry expenses at the various state institutions, schools and state offices, and for the sundry civil expenses of the state government for the fiscal term beginning April 1, 1905, and ending March 31, 1907.....	694	.....	.....	709	709	.....	729	730

HISTORY OF SENATE MEMORIALS.

NUMBER, AUTHOR AND SUBJECT.	Read first and second time and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Message from House.....	Signed by President of Senate	Signed by Speaker of House..
1. SENATOR RANDS: Relating to canal and locks on Columbia river...	72	.....	.....	.....	.....	.....	.....	.....
2. SENATOR STANSELL: Opening south half Colville reservation.....	73	400	426	426	488	474	507	516
3. SENATOR STANSELL: Improvement Pend d'Oreille river.....	73	400	427	427	606	598	612	642
4. SENATOR STANSELL: Irrigation public lands in Stevens county....	73	400	427	427	606	598	612	642
5. SENATOR STANSELL: Improvement of Columbia river.....	73	400	427	427	488	474	505	516
6. SENATOR POGUE: Relating to certain irrigation projects.....	137	401	428	428	606	598	612	642
7. SENATOR RANDS: Recognition for services rendered in Indian uprising	191	401	428	428	625	598	728	642
8. SENATOR KINNEAR: Relating to Olympia forest reserve.....	456	528	579	579	606	710	719	721

HISTORY OF HOUSE MEMORIALS IN THE SENATE.

NUMBER, AUTHOR AND SUBJECT.	Received from House.....	Read first and second time and referred..	Report from Committee....	Third reading and amendments.....	Vote on Final passage.....	Signed by Speaker of House..	Signed by President of Senate
1. MR. DAVIS (GEO. L.): Relating to Quinalt Indian reservation....	355	367	496	541	541	598	589
7. MR. ERICKSEN: To encourage good roads movement.....	598	609	.....	695	695	728	.....
8. MR. WILLIAMS: Relating to pensions granted Indian war veterans	598	609	{682 / 673}	.....	.....	.....	.....
9. MR. CRANE: Relating to international arbitration treaties.....	291	295	496	542	.....	.....	.....

HISTORY OF SENATE CONCURRENT RESOLUTIONS.

	NUMBER, AUTHOR AND SUBJECT.	Presented in Senate	Report of Committee	Action in Senate	Message from House	Other action in Senate
1.	SENATOR CLAPP: Relating to death of Senator Hamilton	24		24	45	
2.	SENATOR SHARP: To notify governor of organization	25		25	27	
3.	SENATOR SUMNER: Joint session to canvass vote	28		28	33	
4.	SENATOR SHARP: Joint session to hear governor's message	29				
5.	SENATOR RUSSELL: Filing bills with state librarian	29		29	45	
6	SENATOR STEWART: Memorial services for Governor Rogers	46		46		
7.	SENATOR KINNEAR: Relating to death of T. J. Humes	71		71	77	489 516
8.	SENATOR RANDS: Publication committee cards and manuals	91		91		
9.	SENATOR CLAPP: Thanking citizens of Seattle	102		102	118	
10.	SENATOR RUSSELL: Calling meeting of railroad committees	142		142		
11.	SENATOR VENESS: Relating to 40-cent lumber rate	177		177	188	
12.	SENATOR TUCKER: Publication legislative manuals	223		223	234	
13.	SENATOR HAMMER: Committee to attend funeral of Senator Sharp	281		281	285	
14.	SENATOR BAKER: Gift for battleship Washington	371		371	382	399
15.	SENATOR PALMER: Transmitting amendments to bills	372		372		
16.	SENATOR PALMER: International convention Christian Endeavor	373		373	455	
17.	SENATOR BAKER: Relating to death of Senator Sharp	430		430	455	
18.	SENATOR RANDS: Recalling Senate bill from governor	432		432	456	
19.	SENATOR BAKER: Relating to capital location	437		559		
20.	SENATOR REED: Relating to memorial services Senator Sharp	468		468	482	483
21.	SENATOR RANDS: Congratulating President Roosevelt	585		585	598	
22.	SENATOR RANDS: Committee to visit Lewis and Clark Exposition	604		604	641	711
23.	SENATOR HEMRICH: Relating to Oriental labor in Hawaii	637		637		
24.	SENATOR TUCKER: Permitting introduction of appropriation bill	661		661	678	
25.	SENATOR WELSH: Informing governor legislature is ready to adjourn	718		718	730	

HISTORY OF HOUSE CONCURRENT RESOLUTIONS IN SENATE.

NUMBER, AUTHOR AND SUBJECT.	*Received from House.....*	*Taken up in Senate.....*	*Action in Senate.....*
1. By MR. DAWES: Relative to printing legislative supplies.....	45	74	.....
2. By MR. J. B. LINDSLEY: For publication of messages of governors.....	.....	.....	.....
3. By MR. VOGTLIN: Relating to death of G. B. Gunderson.....	134	134	134
4. By MR. WILLIAMS: Joint fisheries committee to meet Oregon committee.....	163	.....	165
5. By MR. DAWES: Committee to consider recommendation of officials.....	194	201	201
6. By MR. MCCOY: For investigation of reform school.....	228	229	229
8. By MR. DAWES: Directing printing of names of members in session laws.....	410	423	423
9. By MR. MALONEY: Congratulating Kansas in fight against Standard Oil Co.....	646	658	.....

HISTORY OF SENATE JOINT RESOLUTIONS.

Number, Author and Subject.	Read first and second time and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Message from House.....	Signed by President of Senate	Signed by Speaker of House..
1. Senator Boone: Interstate commerce commission legislation.....	104	....	.....	104	135	126	137	150
2. Senator Rands: Relating to improvement of Columbia river.....	115	.....	.....	115	135	127	137	.....

HISTORY OF VETOED SENATE BILLS.

Number, Author and Title.	Vote on passage	Message of the Governor
85. By Senator Moore: For the relief of the Puget Sound Sawmill and Shingle Co.	102	102
169. By Senator Kinnear: For the relief of E. G. Bickerton	102	102

HISTORY OF VETOED HOUSE BILLS.

NUMBER, AUTHOR AND TITLE.	Received from the House.....	Vote on passage.....
House Substitute Bill No. 30. By COMMITTEE ON APPROPRIATIONS (session of 1903).....	163	173
House Bill No. 122. By MR. MACKENZIE: Bounty for extermination of coyotes, etc.....	163	173
House Bill No. 454. Omnibus appropriation bill.....	163	173

SENATE RESOLUTIONS.

By SENATOR WELSH, for temporary rules for the Senate..... 25
By SENATOR VENESS, for committee to wait on the House..... 25
By SENATOR SUMNER, relating to employes of the Senate..... 26
By SENATOR RANDS, relating to pay of members and employes..... 26
By SENATOR LE CRONE, purchase of emergency supplies for Senate..... 26
By SENATOR RANDS, assignment of clerks by the secretary..... 26
By SENATOR RANDS, instructing doorkeepers as to duties..... 27
By SENATOR RUTH, purchase of desk supplies by sergeant-at-arms..... 28
By SENATOR STEWART, purchase of postage stamps for members..... 36
By SENATOR RUTH, inviting ministers to open sessions..... 36
By SENATOR RANDS, for committees to assign rooms for committees..... 37
By SENATOR BOONE, House and Senate journals to be furnished members.... 78
By SENATOR WELSH, furnishing Senate bills to attorney general..... 78
By SENATOR RANDS, for list of Senate employes.....107
By SENATOR HENRY, to keep main entrance door to Senate closed.....115
By SENATOR RANDS, per diem of Senate employes.....115
By SENATOR CLAPP, extending floor privileges to press representatives.....124
By SENATOR KINNEAR, pay of certain Senate employes.....133
By SENATOR KINNEAR, payment for floral wreath.....152
By SENATOR BROWN, relating to Senate printing.....153
By SENATOR BAKER, to amend Senate rules.....178
By SENATOR SMITH (DR. J. J.), to amend Senate rules.....191
By SENATOR SMITH (DR. J. J.), hours of work for Senate employes.....213
By SENATOR BAKER, to amend rules regarding printing Senate bills.....213
By SENATOR VENESS, to employ D. B. Wescott as committee clerk.....233
By SENATOR KINNEAR, to investigate Senate employes.....262
By SENATOR TUCKER, consideration of bills on the calendar.....307
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